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Parent Annual Notification Guide 2025-2026

NOTIFICATION OF PARENTAL RIGHTS AND RESPONSIBILITIES California Education Code (E.C.) 48980 requires school districts to annually notify parents of their rights and responsibilities with respect to a number of topics. Additionally, Education Code 48982 requires that schools collect assurance from parents that they have been made aware of how to access the information contained in the Notification of Parental Rights and Responsibilities.

State law requires the governing board to notify parent(s) or guardian(s) of minor pupils enrolled in Temecula Valley Charter School ("TVCS") of the legal rights and responsibilities pertaining to their child(ren)'s education. The Governing Board of TVCS ("TVCS Board of Directors", "the Board") recognizes that TVCS is responsible for ensuring that it complies with State and Federal Laws and regulations governing educational programs. TVCS is required to give annual notification to parents and guardians regarding certain portions of the instructional program and matters related to school administration.

Each parent or guardian is required to sign that you have been informed of your rights. Your signature is an acknowledgment that you have been informed of your rights; it does not give consent for your child or ward to participate in any activity or program in the school.

Some legislation requires additional notification to the parents or guardians during the school term prior to a specific activity. A separate letter will be sent to the parents or guardians prior to any of these specified activities or classes. Other legislation grants certain rights that are spelled out in this Annual Notification.

The governing board encourages each parent and guardian to read and know their rights under the laws governing the education of their children. TVCS and its governing board recognize that parent or guardian involvement in their child's education promotes student achievement and contributes greatly to the student's success. Parents or guardians are urged to fully exercise their rights according to the laws that are explained in this Annual Notification. If you have questions or concerns, please contact the Principal of your child's school.

ACCEPTABLE USE OF TECHNOLOGY One of the adopted goals of TVCS is to advance the use of technology to enhance student learning while maintaining a safe learning environment for its students. TVCS students are encouraged not to enter any personally identifiable information on Internet websites. Access to school technology is a privilege, not a right, and students enrolled in TVCS programs or activities must follow TVCS guidelines and procedures regarding acceptable use of technology. All TVCS students and their parents/guardians shall sign the Acceptable Use Agreement prior to using TVCS technological resources. A copy of this form is included within these notifications. TVCS shall make a diligent effort to filter 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 TVCS's 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.

ACCESS TO MENTAL HEALTH SERVICES Good mental health is critical to children's success in school and life. Mental health includes the ability to cope with life's challenges. School-employed professionals like school psychologists, school counselors, and school nurses can support students with educationally related mental health services as well as provide information to families and access to community mental health services. TVCS utilizes a multi-tiered system of supports (MTSS) in order to meet the full continuum of student needs. You can contact your child's teacher, school administration, the school psychologists, or the school counselor to access mental health services. (951) 294-6775

ADDITIONAL INFORMATION DISASTER MEDICATIONS: Pupils who take daily medication for a life-threatening condition should have enough medication at school for three to seven days in case of a disaster. Disaster medication forms are available in school health offices. The form must be filled out by a physician, signed by the parent/guardian and returned to the school nurse along with the supply of medication. The medication and forms must be updated annually.

ADMINISTRATION OF EPILEPSY MEDICATION (E.C. 49414.7) Whenever possible, an emergency anti-seizure medication shall be administered by a school nurse or licensed vocational nurse who has been trained in the administration. If a pupil with epilepsy has been prescribed an emergency anti-seizure medication by his or her health care provider, the pupil's parent or guardian, in conjunction with a written request from a healthcare provider, may request the pupil's school to have one or more of its non medical employees receive training in the administration of an emergency anti-seizure medication in the event that the pupil suffers a seizure when a nurse is not available.

ADMISSION (E.C. 48002) The parent or guardian of a child shall, prior to the first admission of the child (transitional kindergarten, kindergarten, or first grade) to the school, present proof to the authorities of TVCS evidencing that the child is of the minimum age fixed by law for admission thereto. The method of proof of age shall be prescribed by the governing board, and the evidence may be in the form of a certified copy of a birth record or a statement by the local registrar or a county recorder certifying the date of birth, or a baptism certificate duly attested, or a passport, or, when none of the foregoing is obtainable, an affidavit of the parent, guardian or custodian of the minor, or any other appropriate means of proving the age of the child as prescribed by the governing board of the school.

ANAPHYLAXIS TREATMENT (E.C. 49414) Trained personnel of TVCS may utilize TVCS-provided epinephrine auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction.

AVAILABILITY OF PROSPECTUS (E.C. 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. The prospectus of curriculum is available on the TVCS website at www.tvcscougars.com.

CHILD FIND (E.C. 56301, 34 C.F.R. 104.32, B.P. 6164.4) Federal and state law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Any parent suspecting a child has exceptional needs due to a disability may request an assessment for eligibility for special education services through their child's school site or by contacting the Special Education Department at the TVCS office.

CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (E.C. 52052, 60640, 60615) The California Assessment of Student Performance and Progress ("CAASPP") System was established on June 1, 2014. Commencing with the 2014-2015 school year, the CAASPP System includes Smarter Balanced Summative assessments in English Language Arts and Math in grades three through eight and eleven and alternate assessments in English Language Arts and Math in grades three through eight and eleven for students with

significant cognitive disabilities. Additionally, Smarter Balanced Summative assessments and alternative assessments are given in science in grades 5, 8 and once in high school. TVCS will not administer a standards based test in Spanish for reading/language arts in grades two through eight for Spanish-speaking English learners who have been enrolled in a school in the United States for less than twelve months. A parent or guardian may make a written request to excuse his or her child from any or all parts of the assessment. A parent/guardian may submit to the school a written request to excuse his/her child from any or all parts of any test administered under the California Assessment Academic Achievement Act, including the CAASPP.

CALIFORNIA HEALTHY YOUTH ACT (E.C. 51938(b)) TVCS plans to provide comprehensive sexual health education and/or HIV prevention education during the 2019-2020 school year. Students will be taught by TVCS personnel or an outside agency. If TVCS decides to arrange for an outside consultant to provide comprehensive sexual health education and/or HIV prevention education, TVCS will provide notice to parents about the organization or affiliation of the speaker no fewer than 14 days before the instruction is delivered by mail or another form of communication.

A pupil's parent or guardian has the right to request from TVCS a copy of the California Healthy Youth Act, Education Code section 51930 et. seq. A pupil's parent or guardian also has the right to inspect and review the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.

A pupil's parent or guardian may submit a written request to excuse the pupil from participation in any class involving comprehensive sexual health education or HIV prevention education by submitting their request in writing to TVCS.

TVCS may administer for pupils in grades 7 or above inclusive, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex. A parent or guardian may excuse their child from the test, questionnaire, or survey by opting out of their student's participation in the tests, questionnaires or surveys. An opt-out form is provided within these notifications. Parents or guardians have a right review the test, questionnaire, or survey if they wish. At present, TVCS does not administer these types of tests, questionnaires, or surveys.

CHILD ABUSE AND NEGLECT REPORTING (P.C. 11164 et seq.) TVCS staff are required by law to report cases of child abuse and neglect to the appropriate law enforcement agency whenever staff has a reasonable suspicion that a child is being abused or neglected. Reasonable suspicion does not require certainty that the child abuse and/or neglect has occurred. The reporting staff member's name and report are confidential. The fact that a child is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

Senate Bill 906: Safe Storage of Firearms

LEAs must use model content developed by the CDE and Department of Justice to inform parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms.

CDE Model Content is found here: Violence Prevention - Safe Schools (CA Dept of Education)
DOJ Model Content is found here: Firearm Safety | State of California - Department of Justice - Office of the Attorney General

TVCS' letter to parents regarding this issue can be found at www.tvcscougars.com under the Health, Safety and Wellness tab.

RESIDENCY (E.C. 48200 and 48204) Each person between the ages of 6 and 18 years is subject to compulsory education unless exempted. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school for the full time designated as the length of the school day by the governing board. Alternatives to the residency requirement for school attendance include if a pupil is any of the following:

- a) 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;
- b) A pupil who is a foster child who remains in his or her school of origin pursuant to subdivisions (d) and (e) of Section 46853.5;
- c) A pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district;
- d) A pupil residing in a state hospital located within the boundaries of the school district.
- e) A pupil whose parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order.

CLOSED CAMPUS (E.C. 44808.5; B.P. 5112.5) Once students arrive at school, they must remain on campus until the end of the school day unless they are picked up by their parents/guardians to leave for a specific purpose. Students who leave campus without such authorization shall be classified as truant and subject to disciplinary action.

CONCUSSION AND HEAD INJURIES (E.C. 49475) TVCS will immediately remove an athlete who is suspected of sustaining a concussion or head injury during an athletic activity from the school-sponsored athletic activity for the remainder of the day. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed healthcare provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Athletic Activities: Automated External Defibrillator ("AED") TVCS offers interscholastic athletic programs, the charter school must and maintains a written emergency action plan in its Comprehensive Safety Plan which is placed and posted on its website. This plan describes the location and procedures to be followed in the event of sudden cardiac arrest or other medical emergencies related to the athletic program's activities or events. Consistent with the law, TVCS has two on campus AEDs which are available within the charter school to be available on campus, and encourages that the AED or AEDs are available for the purpose of rendering emergency care or treatment, as specified, (4) ensures that the AED or AEDs are available to athletic trainers and coaches and authorized persons at the athletic program's on campus activities or events, and (5) ensures that the AED or AEDs are maintained and regularly tested, as specified. Any employee of the charter school is not liable for civil damages resulting from certain uses, attempted uses, or

nonuses of an AED in the rendering of emergency care or treatment as long as the charter school complies with certain requirements related to an AED, as specified in Cal. Ed. Code section 35179.4.

Athletic Activities Cardiac Arrest Prevention Act: Eric Paredes Sudden Cardiac Arrest Prevention Act The Eric Paredes Sudden Cardiac Arrest Prevention Act (the “Act”) requires a charter school that elects to conduct athletic activities to have the participating student's parent or guardian, sign and return an acknowledgment of receipt for an information sheet on sudden cardiac arrest each school year before the student participates in an athletic activity. The Information and Acknowledgment Form is included below. This form is also included in the Athletic Handbook located on the TVCS website and must be completed prior to participating in any athletic activity.

Parent/Guardian and Pupil Sudden Cardiac Arrest Warning Signs and Symptoms Information and Acknowledgment Form

On July 1, 2017, Assembly Bill 1639, known as the Eric Paredes Sudden Cardiac Arrest (SCA) Prevention Act went into effect. This requires the pupil and their parent or guardian to read, sign, and return an SCA form of acknowledgement before the pupil participates in any athletic activity. Districts may use this form, a form located on the California Interscholastic Association (CIF) website, or design their own form. An SCA acknowledgment form must be signed and returned to the school site each school year.

What Is SCA?

SCA occurs suddenly and often without warning. It is triggered by an electrical malfunction in the heart that causes an irregular heartbeat. With the heart's pumping action disrupted, the heart cannot pump blood to the brain, lungs, and other organs. Seconds later, a person loses consciousness and has no pulse. Death occurs within minutes if the victim does not receive treatment.

Who Is at Risk for SCA?

Thousands of sudden cardiac arrests occur among youth each year, as it contributes to the #2 medical cause of death of youth under the age of 25 and is the #1 cause of death of student athletes during exercise. While a heart condition may have no warning signs, studies show that many young people do have warning signs or symptoms but neglect to tell an adult. This may be because they are embarrassed, they do not want to jeopardize their playing time, they mistakenly think that they are out of shape and need to train harder, or they simply ignore the symptoms, hoping the signs will go away.

Possible Warning Signs and Risk Factors

- Fainting or seizure, especially during or right after exercise
- Fainting repeatedly or with excitement or startle
- Excessive shortness of breath during exercise
- Racing or fluttering heart palpitations or irregular heartbeat
- Repeated dizziness or lightheadedness
- Chest pain or discomfort with exercise
- Excessive, unexpected fatigue during or after exercise
- Family history of sudden death or heart disease under age 50
- Use of high-caffeine supplements, energy drinks, diet pills, and drugs

Removal from Activity

A pupil who faints during or following participation in an athletic activity must be removed from play and may not return to play until they are evaluated and cleared by a physician and surgeon, nurse practitioner or physician's assistant. I have reviewed and understand the symptoms, warning signs, and risk factors associated with SCA.

Print Student/Athlete Name _____ Signature Student/Athlete _____ Date _____

Print Parent/Guardian Name _____ Signature Parent/Guardian _____ Date _____

The CDE used information from the following sources: American Heart Association, Parent Heart Watch (<https://parentheartwatch.org/>), Eric Paredes Save a Life Foundation: Keep Their Heart in the Game (<https://epsavealife.org/>), and Sudden Cardiac Arrest Foundation (<http://www.sca-aware.org/>).

Type 1 Diabetes: Diabetes (Type I) Information regarding Type 1 Diabetes, is linked here (<https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp>) and is posted under the Health and Wellness link at www.tvcscougars.com.

CONDUCT OF PUPIL (E.C. 44807) All students participating in TVCS programs or activities will comply with TVCS policies, rules and regulations, pursue their studies and obey the valid authority of TVCS staff. Any student who feels another participant is disrupting the student's learning environment is strongly encouraged to report that misconduct to a TVCS staff member.

The TVCS staff member will, in turn, report to the classroom teacher in charge. TVCS staff expects all students enrolled in TVCS programs or activities to conduct themselves in a manner that enriches the educational environment and does not disrupt the learning process. TVCS believes all students enrolled in TVCS programs or activities should experience a positive learning environment. All students participating in TVCS programs or activities are expected to cooperate by respecting the rights of other participants, which includes the right to a learning environment free from disruptions. Students are accountable for their conduct on school grounds, going to and from school, going to and from and attendance at TVCS sponsored events, and during recess and lunch periods.

Every teacher has a duty to hold pupils accountable for their conduct on the way to and from school, and on the playground, or during recess. A Teacher, Dean of Students, Principal, Superintendent or any other certificated employee of a school/district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his/her duties, of the same degree or physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

CONTINUING MEDICATION REGIMEN FOR NON EPISODIC CONDITION (E.C.

49480) The parent or legal guardian of any public school pupil on a continuing medication regimen for a non-episodic condition shall inform the school of the medicine, the current dosage and the name of the supervising physician. The school nurse may communicate with the physician and counsel with the school personnel regarding the possible effects of the medication on the child's intellectual, physical and social behavior and behavioral signs and symptoms and adverse effects, omission or overdose.

CORPORAL PUNISHMENT (E.C. 49000 - 49001) No person employed or engaged in a public school shall inflict, or cause to be inflicted corporal punishment upon a pupil. "Corporal punishment" is defined as the willful infliction of, or willfully causing the infliction of physical pain on a pupil. Corporal punishment does not include an amount of force that is reasonable and necessary for a person employed by or engaged in public school to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the pupil. Corporal punishment does not include physical pain or discomfort caused by athletic competition/practice or other such recreational activity, voluntarily engaged in by the pupil.

CUSTODY ISSUES (E.C. 51101(d)) Each parent has equal rights to the custody and control of the child/children, including education rights, unless a court order specifically indicates otherwise. In such a case, the school must have a copy of the court order on file. A school/district cannot limit a parent's rights or refuse a parent or guardian access to his/her child and/or school records absent a court order, and all custody disputes must be handled by the courts. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters or disputes. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

DANGEROUS OBJECTS - LASER POINTER AND IMITATION FIREARMS (P.C.

, 20170) 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. It is also a criminal offense to openly display or expose any imitation firearm in a public place, including a public school

DIRECTORY INFORMATION RELEASE (E.C. 49073, 49061) Directory information about your child may be published or disclosed to third parties by school/district without your prior consent, unless you submit a written notice to the school opting out of such disclosures. If you do not wish to have directory information about your child published or released, you must indicate this on the DIRECTORY INFORMATION AND MEDIA RELEASE form and return it to the school office within the next 30 days. When a written request from the parent of a student age 17 or younger is received by the school office denying access to directory information, TVCS will withhold directory information about the student. However, directory information related to a pupil identified as a homeless or unaccompanied youth will not be released without the express written consent for its release by the eligible pupil or his/her parent or guardian.

Directory information includes one or more of the following items: student's name; address; telephone listing (i.e. home, cell, etc...); electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized activities and sports; honors and awards received; and the most recent educational agency or institution attended.

A school/district may provide directory information to the following individuals, officials, agencies, and non-profit organizations, upon request: certain school publications; county and state educational agencies, federal programs requiring data reporting, and news media. State law prohibits the release of directory information to private profit making entities, with the exception of representatives of the news media (e.g. newspapers, magazines, and radio and television stations).

DISASTER PREPAREDNESS EDUCATIONAL MATERIALS (E.C. 32282.5) The California Department of Education electronically distributes disaster preparedness educational materials to schools/districts and county offices of education. 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 (E.C. 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).

SCHOOL/DISTRICT LIABILITY FOR STUDENTS (E.C. 44808) TVCS shall not be responsible or in any way liable for the conduct or safety of any pupil at any time when such pupil is not on school property, unless TVCS has undertaken to provide transportation for such pupil to and from the school premises, has undertaken a school-sponsored activity off school premises, has otherwise specifically assumed such responsibility or liability or has failed to exercise reasonable care under the circumstances. In the event of such a specific undertaking, TVCS shall be liable or responsible for the conduct or safety of any pupil only while such pupil is or should be under the immediate and direct supervision of an employee of TVCS.

ELECTRONIC LISTENING OR RECORDING DEVICE (E.C. 51512) The use by any person, including a student, of any electronic listening or recording device in any classroom without prior consent of the teacher and the principal is prohibited. Any person, other than the student, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation is subject to the TVCS's disciplinary procedures.

ELECTRONIC SIGNALING DEVICE (E.C. 48901.5) TVCS and its school sites regulate the right of pupils to possess or use electronic signaling devices, including cell phones and wearable cell phone watches, etc., during the school day or at school functions. TVCS policies and procedures about this are available on the TVCS website.

EDUCATIONAL EQUITY: IMMIGRATION AND CITIZENSHIP STATUS (E.C. 200, 220, and 234.1 adding Article 5.7 to E.C. 234.7)

All persons in public schools, regardless of their immigration status, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other other specified characteristic, are to be afforded equal rights and opportunities in the schools, and are not to be discriminated against on the basis of these specific characteristics in any program or activity conducted by the school that receives or benefits from state financial assistance or enrolls students who receive state financial aid. School officials are prohibited from collecting information or documents regarding citizenship or immigration status of students or their family members. Schools are to adopt a policy that prohibits and adopt a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying based on those actual or perceived specified characteristics. The superintendent of a school district or county office of education and principal of a charter school are to report to the governing board of local educational agency in a timely manner any requests for information or access to the school site by an officer or employee or a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. Schools are encouraged, when an employee is aware that a student's parent or guardian is not available to care for the student, to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the student's care unless the school is able to arrange for care through the use of emergency contact information or instructions provided by the student's parent or guardian. Governing boards or schools are to provide information to parents and guardians as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs. Schools and school districts will adopt by July 1, 2018 model policies created by the California Attorney General, limiting immigration enforcement at public schools ensuring that public schools remain safe and accessible regardless of immigration status.

ENGLISH LEARNERS IDENTIFICATION NOTICE (E.C. 313.2) Parents are to be notified by schools that in addition to the child's English proficiency status, for which they are notified using the English Language Proficiency for Assessments for California (ELPAC), they are to be notified that their child is a "Long-term English Learner" or is an "English learner at-risk of becoming a Long-term English Learner".

EXCUSED ABSENCES (E.C. 48205, 46014) 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, optometric or chiropractic services rendered;
4. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California;
5. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent; or
6. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
7. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in E.C. 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the TVCS Superintendent.
8. For the purpose of attending the pupil's naturalization ceremony to become a United States Citizen.

"Immediate Family," as used in Education Code section 48205, has the same meaning as that set forth in Education Code section 45194, except that references therein to "employee" shall be deemed to be references to "pupil".

For purposes of Education Code section 48205, attendance at religious retreats shall not exceed four hours per semester.

GRADE REDUCTION/LOSS OF CREDIT (E.C. 48205,48980 (j)) No pupil shall have his/her grade reduced or lose academic credit for any absence or absences excused pursuant to Section 48205, for missed assignments/tests that can reasonably be provided/completed within a reasonable period of time.

ABSENCES FOR RELIGIOUS PURPOSE (E.C. 46014) Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. No pupil shall be excused from school for such purpose on more than four days per school month.

NOTICE TO PARENT OR GUARDIAN OF A TRUANT (E.C. 48260, 48264.5) Students absent without a valid excuse for more than three (3) days in one school year shall be classified as truant. Students who are more than thirty (30) minutes tardy or absent without a valid excuse on three (3) or more school days in one school year shall be classified as truant. TVCS also regards excessive early releases for non-medical reasons as establishing a pattern of irregular attendance. Such students shall be reported to the Principal. If alternative educational programs are available, the student's parents/guardian shall be so informed.

The first time a truancy report is issued, the pupil and the parent or legal guardian, may be requested to attend a meeting with the school's designees to discuss attendance issues and develop a plan to improve attendance.

The second time a truancy report is issued within the same school year, the pupil may be given a warning by a peace officer pursuant to Penal Code section 830.1.

The third time a truancy report is issued within the same school year, the pupil shall be classified as a habitual truant and may be required to attend a truancy mediation program pursuant to E.C. 48263.

The fourth time truancy is issued within the same school year, the pupil may be brought within jurisdiction of the Juvenile Court that may adjudge the pupil to be a ward of the court pursuant to Welfare and Institutions Code section 601.

EXCUSE FROM HEALTH, FAMILY LIFE AND SEX EDUCATION (E.C. 51240) Upon written request of a parent, a pupil may be excused from any part of instruction in health which conflicts with the parent(s)' religious training or beliefs (including personal moral convictions).

A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV/AIDS prevention education, and assessments related to that education. For more information on the content and schedule for sexual health education, as well as procedures for excusing students from participation, please contact the school site. Anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age - appropriate questions about the pupil's attitudes concerning or practices relating to sex may be administered to any pupil in grades 7 to 12, inclusive, if the parent or guardian is notified in writing that this test, questionnaire, or survey is to be administered and the pupil's parent or guardian is given the opportunity to review the test, questionnaire, or survey and to request in writing that his or her child not participate. Currently, TVCS does not administer any such tests, questionnaires or surveys.

FOSTER CHILDREN BILL OF RIGHTS: (E.C. 48853; 48853.5; 49069.5; 51225.1; 51225.2; 42 U.S.C. 11301 et seq.) "Foster child"

means a child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code ("WIC"), is the subject of a petition filed under Section 300 or 602 of the WIC, or has been removed from his or her home and is the subject of a petition filed under WIC section 300 or 602.

A foster child who is placed in a licensed children's institution or foster family home shall attend programs operated by the local educational agency in which that licensed children's institution or foster family home is located, unless one of the following applies:

1. The pupil is entitled to remain in his or her school of origin;
2. The pupil has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency.

3. The parent or guardian, or other person holding the right to make educational decisions for the pupil pursuant to Section 361 or 726 of the WIC or Section 56055 (“educational rights holder”), determines that it is in the best interests of the pupil to be placed in another educational program and has submitted a written statement to the local educational agency that he or she has made that determination. This statement shall include a declaration that the parent, guardian, or educational rights holder is aware of all of the following:
 - a. The pupil has a right to attend a regular public school in the least restrictive environment.
 - b. The alternate education program is a special education program, if applicable.
 - c. The decision to unilaterally remove the pupil from the regular public school and to place the pupil in an alternate education program may not be financed by the local educational agency.
 - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent, guardian, or educational rights holder.

The parent or guardian, or educational rights holder shall first consider placement in the regular public school before deciding to place the foster child in a juvenile court school, a community school, or another alternative educational setting.

A foster child may still be subject to expulsion under applicable law and board policy.

Foster youth are subject to other laws governing the educational placement in a juvenile court school, of a pupil detained in a county juvenile hall, or committed to a county juvenile ranch, camp, forestry camp, or regional facility, notwithstanding the rights contained in this notice.

Foster children living in emergency shelters (as referenced in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.)), may receive educational services at the emergency shelter as necessary for short periods of time for either of the following reasons:

1. For health and safety emergencies.
2. To provide temporary, special, and supplementary services to meet the child's unique needs if a decision regarding whether it is in the child's best interests to attend the school of origin cannot be made promptly, it is not practical to transport the child to the school of origin, and the child would otherwise not receive educational services.

The educational services may be provided at the shelter pending a determination by the educational rights holder regarding the educational placement of the child.

All educational and school placement decisions shall be made to ensure that the child is placed in the least restrictive educational programs and has access to academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions shall be based on the best interests of the child.

TVCS has designated the Superintendent as the educational liaison for foster children. The role of educational liaison is advisory with respect to placement decisions and determination of school of

origin and does not supersede the role of the parent or guardian retaining educational rights, a responsible adult appointed by the court, a surrogate parent or a foster parent exercising their legal rights with respect to the foster child's education. The educational liaison serves the following roles:

1. Ensures and facilitates proper educational placement, enrollment in school, and checkout from school for foster children;
2. Assists foster children when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records and grades.
3. When designated by the Superintendent, notifies a foster child's attorney and child welfare agency representative(s) of pending disciplinary proceedings and pending manifestation determination proceedings if the foster child is also eligible to receive special education and related services under the IDEA.

At the initial detention or placement by the Juvenile Court, or any subsequent change in placement of a foster child by the Court, the local educational agency serving the child shall allow the foster child to continue his or her education in the school of origin for the duration of the jurisdiction of the court. If the jurisdiction of the court is terminated prior to the end of the academic year:

1. Former foster children in grades kindergarten, or 1 to 8, inclusive, shall be allowed to continue his or her education in the school of origin through the duration of the academic year;
2. Transportation is not required unless the former foster child has an IEP and the IEP team determines transportation is a necessary related service, required by the unique educational needs of the pupil in order to benefit from their special education program. Transportation may be provided at the local educational agency's discretion. The rights of foster youth do not supersede any other law governing special education for eligible foster children.
3. To ensure that the foster child has the benefit of matriculating with his or her peers in accordance with the established feeder patterns of school districts, if the foster child is transitioning between school grade levels, the foster child shall be allowed to continue in the school district of origin in the same attendance area, or, if the foster child is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, to the school designated for matriculation in that school district.

In consultation with the foster child and educational rights holder, the educational liaison may recommend that the foster child waive his or her right to attend the school of origin and enroll in a public school within his or her attendance area. The educational liaison's recommendation must be accompanied by a written explanation for the basis of the recommendation and how it serves the foster child's best interests.

1. If the educational liaison, foster child and educational rights holder agree it is in the best interest of the foster child to waive his or her right to attend the school of origin and attend the recommended school, the foster child shall immediately be enrolled within the

recommended school.

2. The recommended school shall immediately enroll the foster child regardless of any outstanding fees, fines, textbooks or moneys due to any previous schools of attendance or if the foster child is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including proof of immunization, proof of residency or other documentation.
3. Within two business days of the foster child's request for enrollment, the educational liaison for the new school shall contact the school last attended by the foster child to obtain all academic and other records. The last school attended by the foster child shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. The educational liaison for the school last attended shall provide a complete copy of the foster child's education record to the new school within two business days of receiving the request.

If any dispute arises as to the school placement of a pupil under this section, the pupil has the right to remain in his or her school of origin, pending resolution of the dispute.

“School of origin” means the school that the foster child attended when permanently housed or the school in which the foster child was last enrolled. If the school the foster child attended when permanently housed is different from the school in which the foster child was last enrolled, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the educational liaison, in consultation with, and with the agreement of, the foster child and the educational rights holder, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.

If the foster child is absent from school due to a decision to change the placement of the foster child made by a court or placing agency, the grades and credits of the foster child will be calculated as of the date the foster child left school and no lowering of grades will occur as a result of the absence of the foster child under these circumstances. If the foster child is absent from school due to a verified court appearance or related court ordered activity, no lowering of his or her grades will occur as a result of the absence of the pupil under these circumstances.

FOSTER YOUTH EDUCATIONAL PLACEMENT (E.C. 48850 et seq.) The school/district is required to designate a staff person as an educational liaison for foster children. The educational liaison shall ensure and facilitate the proper educational placement, enrollment in school and checkout from school and assist foster children when transferring from one school/district to another or from one school to another to ensure proper transfer of credits, records and grades. Additional information regarding the school/district's foster youth educational liaison may be obtained from TVCS Administration.

HOMELESS YOUTH EDUCATION (42 USC 11432, E.C. 48852.5, AR 6173)

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all homeless school-aged children to the same free and appropriate public education that is provided to nonhomeless students. TVCS has appointed a liaison for homeless children who ensures the dissemination of public notice of the educational rights of students in homeless situations. Circumstances for eligibility for homeless student services include: living in a shelter, a motel, hotel, a house or apartment with more than one family because of economic hardship or loss, in an

abandoned building, in a car, at a campground, or on the street, in temporary foster care or with an adult who is not your parent or guardian, in substandard housing, or with friends or family because you are a runaway or unaccompanied youth. Homeless children have the right to immediate enrollment in school of origin or school where they are currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers. They have a right to education and other services including to participate fully in all school activities and programs for which a child is eligible, to qualify automatically for nutrition programs, to receive transportation services, and to contact the liaison to resolve disputes that arise during enrollment.

A homeless student is defined as a person between the ages of birth (Early Head Start and Head Start Programs) and twenty-two (special education students) who lacks a fixed, regular, and adequate nighttime residence and may temporarily:

- Live in an emergency or transitional shelter; abandoned building, parked car, or other facility not designed as a regular sleeping accommodation for human beings;
- Live “doubled-up” with another family, due to loss of housing stemming from financial problems (e.g., loss of job, eviction or natural disaster);
- Live in a hotel or motel;
- Live in a trailer park or campsite with their family;
- Have been abandoned at a hospital;
- Be awaiting foster placement in limited circumstances;
- Reside in a home for school-aged, unwed mothers or mothers-to-be if there are no other available living accommodations; or
- Be abandoned, runaway, or pushed out youth or migrant youth that qualifies as homeless because he/she is living in circumstances described above.

A homeless student has the right to attend either the school of origin (the school that the student was last enrolled in or attended when last housed) or the current school of residence. If a dispute arises over school selection or enrollment, the parent/guardian has the right to dispute the school's decision by contacting the district's homeless liaison at and following the district's dispute resolution policy. The law requires the immediate enrollment of homeless students, which is defined as “attending class and participating fully in school activities”. Schools cannot delay or prevent the enrollment of a student due to the lack of school or immunization records. It is the responsibility of the district homeless liaison to refer parents to all programs and services for which the student is eligible. Referrals may include, but are not limited to: free nutrition, special education services, tutoring, English Language Learners programs, Gifted and Talented Education program, preschool, before and after school services or any other program offered by the school or district. The district shall ensure that transportation is provided, at the request of the parent/guardian/unaccompanied homeless youth, to and from the school of origin, if feasible. Unaccompanied youth, such as teen parents not living with their parents or guardian or students that have run away or have been pushed out of their homes, have access to these same rights. A homeless student that transfers schools after the second year of high school and is greatly deficient in credits may be able to graduate within four years with reduced state requirements. School districts are required to issue and accept partial credit for courses that have been satisfactorily completed.

GENERAL COMPLAINTS CONCERNING THE SCHOOL The quality of the educational program can improve when TVCS listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process. The Board encourages complainants to resolve problems early and informally whenever possible. If a problem remains unsolved, the individual should submit a formal complaint as early as possible in accordance with appropriate TVCS procedures. TVCS procedures are readily accessible on the TVCS website. Individual board members do not have authority to resolve complaints.

COMPLAINT PROCEDURES (5 CCR 4622) If a complaint cannot be resolved at the informal level, then a written formal complaint may be made to the Superintendent or designee. The Superintendent or designee shall determine whether a complaint should be considered a complaint against TVCS and/or the individual TVCS representative, and whether it should be resolved by the process for the Uniform Complaint Procedure or other complaint procedure, or any combination thereof.

TVCS has designated the following compliance officer to receive and investigate complaints and ensure TVCS compliance with law:

*Superintendent~ Dr. Charity Plaxton-Hennings
35755 Abelia Street
Winchester, CA 92596
(951) 294-6775*

GENERAL RIGHTS - DISABLED PUPILS — SECTION 504 OF THE REHABILITATION ACT: Section 504 of the Federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101 et seq.) prohibits discrimination on the basis of disability. Section 504 requires schools/districts to identify and evaluate children with disabilities in order to provide them a free, appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activities, including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, speaking, are eligible to receive services and aids designed to meet their needs as adequately as the needs of nondisabled students are met. A student has the right to be educated with nondisabled students to the maximum extent appropriate to the student's individual needs. Notice of the procedural safeguards guaranteed by law can be obtained at the Temecula Valley Charter School office.

CHILD FIND

Temecula Valley Charter School must implement an ongoing system to locate, identify and evaluate all children birth to 21 residing within its jurisdiction who have disabilities and need early intervention under Part C or special education under Part B of the Individuals with Disabilities in Education Act. Temecula Valley Charter School must identify all children with disabilities, regardless of the severity of their disabilities, including children who are: 1. Highly mobile, such as migrant and homeless children; 2. Wards of the State; 3. Suspected of having a disability even though they advance from grade to grade; or 4. Home schooled. Temecula Valley Charter School's child find efforts must include:

1. Communication to Parents/Guardians. Inform parents and guardians about the availability of special education and related services and provide them with information about initiating a referral for a special education evaluation, including information about early intervention under Part C and special education under Part B.
2. Staff awareness. Ensure that staff members are knowledgeable about the characteristics of children with disabilities and in need of special education, and the referral process for all children, including infants or preschool children, suspected of having disabilities.

HOME HOSPITAL INSTRUCTION (E.C. 48206.3, 48207, 48208, 48980(b)) Students

temporarily disabled by accident or by physical, mental or emotional illness making attendance at school impossible or inadvisable may receive individual instruction at home or in a hospital or residential health facility within the district. Such instruction may be given from one to five hours a week. Temporarily disabled students who are receiving care in an out-of-district residential health facility (excluding state hospitals) are deemed residents of the district in which the health facility is located. Home or hospital instruction shall be provided only when a student is expected to be out of school for two weeks or longer. Parents or guardians should first contact the principal to determine services. If it is determined by the principal that the student may be in need of home/hospital instruction, a written order will be required from the student's physician. This order must include a description of the disabling condition, the length of time the student will be unable to attend school and the treatment modality. The physician shall have determined that the home teacher/staff member will not be exposed to any contagious diseases that can be transmitted by casual contact.

HOMELESS YOUTH EDUCATION (42 USC 11432, E.C. 48852.5, AR 6173) TVCS has appointed a liaison for homeless children who ensures the dissemination of public notice of the educational rights of students in homeless situations. Circumstances for eligibility for homeless student services include: living in a shelter, a motel, hotel, a house or apartment with more than one family because of economic hardship or loss, in an abandoned building, in a car, at a campground, or on the street, in temporary foster care or with an adult who is not your parent or guardian, in substandard housing, or with friends or family because you are a runaway or unaccompanied youth. Homeless children have the right to immediate enrollment in school of origin or school where they are currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers. They have a right to education and other services including to participate fully in all school activities and programs for which a child is eligible, to qualify automatically for nutrition programs, to receive transportation services, and to contact the liaison to resolve disputes that arise during enrollment.

No homeless youth shall be required to attend a separate school for homeless children or youth. Homeless youth shall not be stigmatized by school personnel.

IMMUNIZATION AND COMMUNICABLE DISEASE (E.C. 48216, 49403)

Schools/districts are required to exclude pupils who have not been properly immunized pursuant to Health and Safety Code 120325 et seq. Pursuant to Health and Safety Code section 120370, if the parent or guardian files with the governing authority a written statement by a licensed physician to the effect that the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, indicating the specific nature and probable duration of the medical condition or circumstances, including, but not limited to, family medical history, for which the physician does not recommend immunization, that child shall be exempt from the immunization requirements.

Note: SB 277-Effective January 1, 2016: The California Legislature eliminated the exemption from specific immunization requirements based upon personal beliefs. A student who, prior to January 1, 2016, submitted a letter or affidavit on file at TVCS, stating beliefs opposed to immunization, is permitted to enroll in that institution until the student enrolls in the next grade span. Grade span means: 1) birth to preschool; 2) kindergarten and grades 1 through 6, inclusive, including transitional kindergarten; and 3) grades 7 through 12, inclusive. On or after July 1, 2016, TVCS shall exclude from school for the first time or deny admittance or deny advancement to any student to the 7th grade unless the student has been immunized.

INTERNET SAFETY Use of the Internet poses risks, and those risks can be potentially dangerous for minors. Social networking and other interactive websites may be used by child predators and cyber bullies to locate and attack victims, and others use the Internet to solicit personal information for their financial gain. Some companies also gather information users upload and/or store on e-mail and other user accounts for purposes of marketing and other profit making activities, a practice known as "data-mining". TVCS makes every effort to provide a safe learning environment for its students, including by way of blocking social networking sites and other potentially harmful sites on the TVCS computer system. TVCS encourages you to talk with your child about appropriate uses and the potential dangers of the Internet, and inquire into whether they have a Social Media account, and whether they have or are otherwise releasing information about themselves on the Internet. If your child has any online accounts or profiles, you may want to review it to ensure that no personal and identifiable information has been posted or otherwise uploaded. You should also be familiar with any terms and conditions agreed to by your child when establishing profiles or user accounts through the Internet; these can include permission to search for, gather, and store data about them. We also encourage you to establish rules and guidelines to ensure the safety of your child while on the Internet, and ensure your child does not publish personal and confidential information about themselves without your knowledge and permission. Some web sites offer parental or family guidance for Internet safety; for example, [SafeKids.com](http://www.safekids.com), located online at <http://www.safekids.com>, and Web Wise Kids, located online at <http://www.webwisekids.org>, by telephone at 866-WEB-WISE, or by e-mail at infonwebwisekids2.org. While TVCS will continue to provide Internet security within our school, it is important that parents also monitor Internet use at home.

TVCS may require students to use online educational programs for educational purposes, such as Scholastic and Renaissance Learning. In order for students to access these programs, limited student information must be shared with the program providers, including the student's name, school name and school identification number. TVCS abides by FERPA and exercises caution in selecting the online educational programs it will utilize and in protecting the student information that is shared with the service providers. In contracting for online educational services, TVCS requires the service providers to agree to protect student information in accordance with state and federal laws. Additionally, TVCS ensures only the necessary student information is shared with the service providers and safeguards against any impermissible use of student information such as prohibiting its re- disclosure to unauthorized third parties. TVCS does not contract with online educational service providers that will not agree to be bound by relevant state and federal laws pertaining to the dissemination of student information. Note, however, some of these providers require e-mail or other online usernames and accounts in order to access them. These are often not within TVCS's control, and should be set up with your knowledge.

LIABILITY OF PARENT OR GUARDIAN (E.C. 48904) The parent or guardian of any minor whose willful conduct results in injury or death to any pupil or any person employed by, or performing volunteer services for TVCS, or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to TVCS or TVCS employees, is liable for all damages so caused by the minor. Any minor who willfully cuts, defaces or otherwise injures in any way any property, real or personal, belonging to TVCS, or personal property of any school employee shall be liable for all damages caused by the minor, or for all property loaned to the minor and not returned on demand of a TVCS employee authorized to make such demand.

Any school/district whose real or personal property has been willfully cut, defaced or otherwise injured, or whose property is loaned to a pupil and is willfully not returned upon demand of an employee of TVCS authorized to make the demand may, after affording the pupil his or her due process rights, withhold grades, diploma and transcripts of the pupil responsible for the damages until the pupil or the pupil's parents or guardian has paid for the damages. A voluntary work program for the minor is available upon a reasonable showing by the parent or guardian that he or she is unable to pay for the damages.

MATHEMATICS PLACEMENT POLICY (E.C. 51224.7) TVCS utilizes a fair, objective and transparent mathematics placement policy that takes multiple objective academic measures of pupil performance into consideration, annually examines aggregate pupil placement data to ensure pupil qualification for progressing through mathematics courses and offers clear and timely recourse for any pupil or parent or guardian who questions the placement. More information about the TVCS 7th and 8th grade mathematics placement policy is available on www.tvcscougars.com.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS (E.C. 49407, 49471, 49472)

Medical costs incurred due to pupil accidents are the responsibility of the parent or guardian. TVCS does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance.

MEDICAL RECORD SHARING (Health and Safety Code 120440) Medical information may be shared with local health departments and the State Department of Public Health. Any information shared shall be treated as confidential medical information. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; and the student or parent or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both.

MEGAN'S LAW (P.C. 290.4) 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 information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California. TVCS refers parents to their local law enforcement agency regarding information about the availability of a CD-ROM or other electronic medium containing information about registered sex offenders as required by "Megan's Law," as specified. This information is provided by the Department of Justice to local law enforcement agencies in each county and is available through the Temecula Police Department.

MINIMUM AND/OR PUPIL FREE STAFF DEVELOPMENT DAYS (E.C. 48980(c))

Parents shall be advised no later than one month prior to any scheduled minimum days or pupil-free staff development days. The complete calendar for the school year is posted on the website www.tvcscougars.com

NONDISCRIMINATION POLICY (5 CCR 4610, 4630, 4650; E.C. 200 et seq., 234 et seq.,

48900(r)) Discrimination in education programs is prohibited by state and federal law. Education Code 200 et seq. requires schools/districts to afford all pupils regardless of gender, gender identity, gender expression, sex race, color, religion, natural origin, ethnic group identification, mental or physical disability, sexual orientation, or the perception of one or more of such characteristics, equal rights and opportunities in accessing educational programs, activities and facilities. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Title IX prohibits discrimination on the basis of sex. The Americans with Disabilities Act and Section 504 of the Vocational Rehabilitation Act of 1973 prohibit discrimination on the basis of disability.

TVCS assures that lack of English language skills will not be a barrier to admission or participation in TVCS programs. Complaints of unlawful discrimination are investigated through the Uniform Complaint Procedures and must be filed no later than six months after knowledge of the alleged discrimination was first obtained. Questions or concerns regarding these rights or allegations of discrimination should be directed to the TVCS Administration.

NOTICE REGARDING SOCIAL MEDIA MONITORING & INFORMATION COLLECTION FOR THE PURPOSES OF INTERVENING IN MATTERS OF CYBERBULLYING, STUDENT SAFETY AND SCHOOL SAFETY

Cyberbullying is bullying conducted via electronic technology such as the Internet. Whether done in person or through electronic means, the effects of bullying are the same and can lead to poor grades, drug and alcohol use, lower self- esteem, depression and even suicide.

The Act defines "bullying" as any "severe or pervasive" physical or verbal conduct that is directed toward another student and that can "be reasonably predicted" to:

1. place a reasonable student in fear of harm to person or property
2. cause a reasonable student to experience a "substantially detrimental effect" on his or her physical or mental health
3. interfere with a reasonable student's academic performance, or
4. interfere with a reasonable student's participation in or benefit from school services, activities, or privileges.

"Cyberbullying," sometimes referred to as Internet bullying or electronic bullying, is defined in Education Code 32261 and 48900(r) for purposes of student discipline as an act of bullying committed through the transmission of a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer or pager. As of January 1, 2017, an electronic act includes an act of "cyber sexual bullying," which includes a photograph or other visual recording that shows an identifiable minor in a nude, semi-nude, or sexually explicit manner. Students who have been found to have committed such an act may be suspended or recommended for expulsion. (A.B.

2536.)

Temecula Valley Charter School - TVCS seeks to combat cyberbullying and its effects by identifying and intervening in instances of hateful, depressive or suicidal behavior.

PARENT'S RIGHT TO INSPECT INSTRUCTIONAL MATERIALS (E.C. 49091.10) The Education Code requires that all primary supplemental instructional materials and assessments must be compiled, stored, and made available for inspection by parents or guardians, in accordance with TVCS procedures found in board policy. A parent or guardian may observe instruction and other school activities involving their child in accordance with TVCS procedures. Upon written request by the parent or guardian, TVCS shall arrange parental observation of a requested class, classes, or activities that involve his or her child, within a reasonable time frame.

P.E. INSTRUCTIONAL MINUTES (E.C. 51210, 51223) The adopted course of study for grades 1 through 6 and instruction in grades 1 through 8 in an elementary school must include physical education for not less than 200 minutes each ten school days, exclusive of recesses and the lunch period. Noncompliance complaints may be processed under Uniform Complaint Procedures.

PERSONAL BELIEFS (E.C. 51513) No text, questionnaire, survey or examination containing any questions about the pupil's or their parents personal beliefs or practices in sex, family life, morality or religion, shall be administered to any pupil in the school, unless the parent or guardian is notified in writing that such test, survey, questionnaire or examination is to be administered and the parent or guardian of the pupil gives written permission for the pupil to take such test, questionnaire, survey and examination.

Notification will include specific or approximate dates of when any survey containing sensitive, personal information is to be administered and provide an opportunity for parents to opt pupils out of participating in the survey. Upon request, parents or guardians will be given the opportunity to inspect any third party survey.

PESTICIDE PRODUCTS (E.C. 48980.3, 17612) An annual notification is made to parents with a list of all pesticide products and expected use at school facilities during the year. The annual notification of pesticide products shall identify the name of each pesticide product, the active ingredient(s) and the Internet address for further information. To obtain a copy of the annual notification, please contact the Temecula Valley Unified School District.

PHYSICAL EXAMS AND TESTING (E.C. 49451, 49452, 49452.5 and 49455, Health & Safety Code, 124085) TVCS is required to conduct certain physical examinations and vision and hearing testing of students unless the parent refuses to consent and has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease.

ENTRANCE HEALTH SCREENING (Health and Safety Code 124085, 124100, and 124105) 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 or the parents must sign a waiver. The screening should take place before (within the 6 months prior) or during the kindergarten year. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available through the local health department.

ORAL HEALTH ASSESSMENT (E.C. 49452.8) Parents of pupils enrolled in kindergarten (or in first grade if not previously enrolled in kindergarten) must present proof of having received an oral health assessment by a licensed dentist or other licensed or registered dental health professional or provide written notice as to why an oral health assessment by a licensed dentist or other registered dental health professional cannot be completed. Dental assessments must be completed in the 12 months prior to enrollment or by May 31 of the pupil's first school year. Schools are required to provide enrollment information for Medi-Cal to parents and guardians upon request (required forms available at www.cde.ca.gov/). Parents may obtain a waiver of this requirement if they cannot find a dental office that takes their child's insurance, cannot afford to pay for it, or the parent chooses not to have their child's oral health evaluated.

PRESCRIBED MEDICATIONS (E.C. 49423, 49423.1, 49423.5, 49480) The parent or legal guardian of any pupil taking medication on a regular basis must inform the school site 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 or other school representative may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil. Any pupil who is required to take prescribed or over the counter medications during the school day may be assisted by the health clerk/school nurse or other designated school personnel if the school receives:

1. A written statement from such physician detailing the method, amount and time schedules by which such medication is to be taken, and a written statement from the parent or guardian of the pupil indicating the desire that TVCS assist the pupil in the matters set forth in the physician's statement
2. In order for a pupil to carry and self-administer auto-injectable epinephrine or inhaled asthma medication, TVCS must receive a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken and written parental consent authorizing the self-administration of medication, providing a release for the school nurse or other personnel to consult with the child's health care provider as questions arise, and releasing TVCS and personnel from civil liability if the child suffers any adverse reaction as a result of the self-administration of medication.

Inappropriate use of inhaled asthma medication, or auto-injectable epinephrine while under self-management may result in withdrawal of the privilege and possible disciplinary action.

PROHIBITED STUDENT SEARCHES (E.C. 49050, 49051) No school employee may conduct a body cavity search of a pupil manually or with an instrument or a search that involves removing or arranging any or all of the clothing of a pupil to permit a visual inspection of the underclothing, breast, buttocks, or genitalia of the pupil. These statutory proscriptions, however, may not be construed to affect the admissibility of evidence in subsequent juvenile or criminal proceedings.

PROMOTION/RETENTION OF PUPILS (E.C. 48070.5, B.P. & A.R. 5123) Policies regarding TVCS's promotion and retention of students may be found at www.tvcscougars.com.

PROTECTION OF PUPIL RIGHTS (20 U.S.C. 1232h) No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or

evaluation that reveals information concerning:

1. political affiliations of the student or student's parents;
2. mental and psychological problems potentially embarrassing to the student or his/her family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) without the prior consent of the parent.

PUPIL FEES COMPLAINTS: (5 CCR 4622) A complaint of noncompliance with Education Code section 49010 et seq., concerning free education for pupils, may be filed with the school principal under the Uniform Complaint Procedures, at 5 CCR 4630. A complaint shall be filed not later than one calendar year from the date the alleged violation occurred.

PUPIL OBJECTION TO DISSECTION ALTERNATIVE EDUCATIONAL PROJECT (E.C. 32255-32255.6) Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals, based on moral objections, and complete an alternative educational project acceptable to the teacher. The pupil must notify his teacher regarding such objection.

1. If the pupil chooses to refrain from participation in an education project involving the harmful or destructive use of animals, and if the teacher believes that an adequate alternative education project is possible, then the teacher may work with the pupil to develop and agree upon an alternative education project for the purpose of providing the pupil an alternative avenue for obtaining the knowledge, information, or experience required by the course of study in question.
2. The alternative education project shall require a comparable time and effort investment by the pupil. It shall not, as a means of penalizing the pupil, be more arduous than the original education project.
3. The pupil shall not be discriminated against based upon his or her decision to exercise his or her rights pursuant to the Education Code sections referenced.
4. Pupils choosing an alternative educational project shall pass all examinations of the respective course of study in order to receive credit for that course of study. However, if tests require the harmful or destructive use of animals, a pupil may, similarly, seek alternative tests pursuant to this chapter.
5. A pupil's objection to participating in an educational project pursuant to this section shall be substantiated by a note from his or her parents or guardian.

PUPIL MEALS – CHILD HUNGER PREVENTION AND FAIR TREATMENT ACT OF 2017 (E.C. 49557.5) The Temecula Valley Charter School complies with the Child Hunger Prevention and Fair Treatment Act of 2017

FREE AND REDUCED PRICE MEALS

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. Application forms may be obtained through Temecula Valley Charter School.

PUPIL RECORDS (E.C. 49060 to 49065, 49068 to 49078, 56504; 34 CFR 99.7; 20 USC 1232g)

Maintaining educational records pertaining to each student is a necessary function of a school/district. A file is maintained for each student who has enrolled in TVCS and it contains records regarding the history of a pupil's development and educational progress. TVCS protects the privacy of such records. These files are located at the pupil's school administrative offices. All active pupil records are under the supervision of the school principal, all inactive records are under the supervision of the school custodian of records and/or designated school site of last attendance.

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. SCHOOL 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, the District shall disclose educational records without parental consent.

Parents' request to access their student's educational records must be submitted in a written form to 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 1\$ per page.

Any challenge to school records must be submitted in writing to the Superintendent or designee. 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. 20202-4605.

The release of all student information, including educational records, is done in accordance with safeguards and procedures established by the California Education Code and the Family Educational Rights and Privacy Act (FERPA). FERPA affords parents, students over 18 years of age, pupils 14 years of age and older that are identified as both homeless and an unaccompanied youth ("eligible students"), and individuals who have completed and signed a Caregiver's Authorization Affidavit (pursuant to Family Code 6552) with certain rights with respect to the student's pupil records. They are:

1. Right to Access. The right to inspect and review the student's education records within five

(5) business days of receipt of request. Parents or eligible students should submit to the school Principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal or custodian of records will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Certificated personnel can be made available to interpret records, if requested. TVCS reserves the right to charge up to 10 cents per page if copies of these records are requested. If the cost of obtaining student records prevents the parent from exercising the right to receive such copy or copies, the copy or copies shall be reproduced at no cost. (Education Code 56504). Establishment of financial hardship shall be made utilizing the federal guidelines for free and reduced lunch. Parents who are claiming financial hardship will be required to submit documentation, which will establish that they have met such guidelines.

2. Right to Challenge. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. Any challenge to school records must be submitted in writing to the school Principal. A parent challenging school records must clearly identify the part of the record they want changed, and show it is 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. If you wish to challenge the content of these records, procedures for doing so may be obtained by consulting the school principal or custodian of records. If TVCS decides not to amend the record as requested by the parent or eligible student, TVCS will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student upon notification of the right to a hearing.
3. Right to Consent. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA or state law authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by TVCS as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the TVCS Board of Directors; a person or company acting on TVCS's behalf (such as an attorney, auditor, medical consultant or therapist); a person or company performing an institutional function or service under a contract with TVCS, including technology and software support services, or services or functions for which TVCS would otherwise use its own employee; or a parent or student serving on an official committee, such as attendance, disciplinary or grievance committee, or assisting another school official performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request from officials of another school/district in which a student seeks or intends to enroll, TVCS shall disclose education records without parental consent. There are other exceptions which permit the disclosure of personally identifiable information without parental consent, including the release of directory information as specified herein.

4. Right to File Complaint. The right to file a complaint with the U. S. Department of Education concerning alleged failures by TVCS to comply with the requirements of FERPA. 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, DC 20202- 4605.

"Education records" do not include:

1. Instructional, supervisory or administrative notes by TVCS staff that are made only for that staff member's use or the use his/her substitute
2. Records of a law enforcement unit that were created for use by the law enforcement unit
3. Employee records made for personnel use
4. Records of a doctor, psychologist, psychiatrist or other treatment provider and/or assistant regarding a student who is 18 years or older or who is attending a postsecondary educational institution. In this case, "treatment" does not include remedial instructional measures.

Access Log. A log shall be maintained for each student's record which lists all outside persons, agencies, or organizations requesting or receiving information from the records and the legitimate educational interest of the requester. The log shall be open to inspection only by the parent or the student if 18 years of age or older, and the school official or designee responsible for maintenance of printed student records.

PUPIL SAFETY: HUMAN TRAFFICKING PREVENTION RESOURCES-EC 49381 The governing board of TVCS will work with Administrators to identify the most appropriate methods of informing parents and guardians of pupils in grades 6-8 of human trafficking prevention resources and to implement the identified methods by January 1, 2020.

RIGHTS OF PARENTS OR GUARDIANS TO INFORMATION (E.C. 51101)

Parents/guardians of pupils enrolled in public schools have the right to participate in the education of their children as set forth in Education Code section 51101(a). In addition, parents and guardians of pupils, including those whose primary language is not English, shall have the opportunity to work together in a mutually supportive and respectful partnership with schools, and to help their children succeed in school. TVCS has developed board policy related to parental involvement and the manner in which parents and school staff may share the responsibility for education of their students.

RULES AND REGULATIONS REGARDING DISCIPLINE (E.C. 35291, 35291.5, 48900 and 48900.6) The governing board of TVCS shall prescribe rules that are consistent with the law. The Principal shall take steps to ensure that all rules pertaining to the discipline of pupils are communicated to the students at the beginning of each school year and to transfer students when enrolled. Education Code 35291.5 requires school site discipline rules to be established by school committees with specific membership and filed with the governing board. School rules can be found in the Parent/Student Handbook.

SAFE PLACE TO LEARN ACT (E.C. 234 and 234.1; see also E.C. 48900, 48900.4; B.P.5145.3) TVCS is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived

characteristics set forth in section 422.55 of the Penal Code and E.C. 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. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation or, bullying related to school activity or school attendance occurring within TVCS may be subject to disciplinary action up to and including expulsion. To report an incident and/or to receive a copy of the TVCS anti-discrimination, anti-harassment, anti-intimidation and anti-bullying policies, contact TVCS, 35755 Abelia Street, Winchester, CA (951)294-6775.

All TVCS policies are available on the school website www.tvcscougars.com

SCHOOL ACCOUNTABILITY REPORT CARD (E.C. 35256) School Accountability Report Cards are available on the TVCS website at www.tvcscougars.com. A hard copy will also be provided upon request to any parent or guardian.

SCHOOL SAFETY PLAN (E.C. 32280 et seq.) TVCS has a School Safety Plan, which includes a comprehensive disaster preparedness plan. Copies are available to view at the school office. TVCS school also has periodic fire drills and emergency drills.

SOCIAL SECURITY NUMBERS (E.C. 49076.7 and 56601) Prohibits the school/district from collecting or soliciting social security numbers or the last four digits of social security numbers from students or their parents.

SCHOOL VISITING PROCEDURES (E.C. 51101(a)(12)) Parents and guardians of students enrolled in public schools have the right and 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. Procedures for visiting a school are located on the school website. Penal Code 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.

SEXUAL EQUITY: TITLE IX NOTIFICATIONS (E.C. 221.61) TVCS will post information on their website relative to the designated Title IX coordinator, rights of students and responsibilities of schools, and a description of how to file a complaint.

Title IX is a federal law that was passed in 1972 to ensure that male and female students and employees in educational settings are treated equally and fairly. It protects against discrimination based on sex, including sexual harassment, and transgender students or students who do not conform to sex stereotypes. State law also prohibits discrimination based on gender (sex), gender expression, gender identity, and sexual orientation. The Title IX coordinator for TVCS is Lois Hastings. You may file a Title IX complaint by contacting the Lois Hastings at (951) 294-6775.

SEX EQUITY IN COURSE SELECTION AND CAREER COUNSELING (E.C. 221.5(d))
Beginning in 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.

SEXUAL HARASSMENT (E. C. 200, 240, 212.5, 231.5 & 230, 48900.2, 48980(g)) TVCS is committed to a work and educational environment in which all individuals are treated with respect and dignity. Each individual has the right to work and learn in a professional atmosphere that promotes equal employment and educational opportunity, and is free from discriminatory practices. Sexual harassment is a violation of Title IX of the Education Amendment Act of 1972, Title VII of the Civil Rights Act of 1964 and California Education Code. Therefore, TVCS strongly condemns, opposes and prohibits sexual harassment of individuals, in any form. Any employee who violates TVCS Board Policy 5004 regarding sexual harassment will be subject to discipline up to and including termination, and any student who violates this policy will be subject to discipline up to and including expulsion. As used here, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

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

Information on TVCS's administration of sexual harassment complaints is found at www.tvcscougars.com

STUDENT PARENT LACTATION ACCOMMODATION (E.C. 222) Schools/districts are required to provide reasonable accommodations to a lactating student on a school campus to address breast-feeding needs. Noncompliance complaints may be processed under Uniform Complaint Procedures.

SUICIDE PREVENTION POLICIES (E.C. 215) Schools/districts that serve students in grades 7 to 12 are to adopt policies on the prevention of student suicides. TVCS's policy can be found at www.tvcscougars.com and is contained within the Comprehensive Safety Plan.

SUSPENSION OR EXPULSION OF PUPILS (E.C. 48900, 48900.2, 48900.3, 48900.4, 48900.7, 48910 48911, 48915) A teacher may suspend a pupil from class for the day and the day following, or a principal or his/her designee may suspend a pupil from school for not more than five (5) consecutive days for a "good cause." A teacher shall ask the parent or guardian of the pupil to attend a conference, and if the teacher, or the parent or guardian request, a school administrator shall attend such conference. The principal who suspends a pupil SHALL make a reasonable effort to contact the pupil's parent or guardian by telephone and notify in writing the parent or guardian of such suspension. Suspension shall be preceded by an informal conference conducted by the principal between the pupil and, whenever practicable, the teacher, supervisor, or school employee

who referred the pupil to the principal, unless the principal or designee determines that an emergency situation exists. If a pupil is suspended without a conference prior to suspension, both the parent and the pupil shall be notified of the pupil's right to a conference and the pupil's right to return to school for the purpose of the conference. At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. Incidents for Suspension under Education Code 48900:

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon the person of another, except in self-defense.
3. Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil has obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or designee of the principal.
4. Unlawfully, possessed, used, sold or otherwise furnished or been under the influence of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, alcoholic beverage or intoxicant of any kind.
5. Unlawfully offered or arranged or negotiated to sell any controlled substance, listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, alcoholic beverage or intoxicant of any kind and either sold, delivered or otherwise furnished to any person another liquid, substance or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. 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 the use or possession by a pupil of his or her own prescription products.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawful possession of or unlawfully offered, arranged or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
12. Disrupted school activities or willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. 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.
13. Knowingly received stolen school property or private property.
14. 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.
15. Committed or attempted to commit a sexual assault or sexual battery (as defined in Section 261, 266c, 286, 288, 288a, 289, of the Penal Code or committed a sexual battery as defined in section 243.4 of the Penal Code),
16. Harassed, threatened or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

17. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
18. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" is any method of initiation or pre- initiation into a pupil organization or student 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 prospective pupil. For purposes of this subdivision, 'hazing" does not include athletic events or school-sanctioned events.
19. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - a. "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:
 - i. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property
 - ii. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
 - iv. 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.
 - b. "Electronic act" means the creation or 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, video or image.
 - ii. A post on a social network Internet Web site, including but not limited to: a) 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 (a); b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (a). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purposes 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; c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (a). "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.
 - iii. An act of cyber sexual bullying.
 - iv. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means

of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs i to iv inclusive, of paragraph a. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

v. For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school- sanctioned activities.

c. "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.

20. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent 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 school activity or attendance that occur at any time, including, but not limited to, any of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period whether on or off the campus.
- During, or while going to or coming from, a school sponsored activity.

21. 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).

22. As used in this section, "school property" includes, but is not limited to, electronic files and databases.

23. For a pupil subject to discipline under this section, the 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 misbehaviors as specified in Section 48900.5.

24. 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.

25. A student can also be suspended or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed one of the following offenses:

- 48900.2 Committed sexual harassment as defined in Section 212.5,
- 48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in subdivision (e) of Section 233.
- 48900.4 Intentionally engaged in harassment, threats, or intimidation, directed against school/district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork,

creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile environment. (These do not apply to K-3 students).

- d. 48900.7 Made terroristic threats against school officials, school property or both.

EXPULSION A student may be recommended for expulsion for any of the reasons enumerated in Education Code 48915 and pursuant to the expulsion procedures identified in Education Code 48918 and 48918.5

MANDATORY RECOMMENDATION FOR EXPULSION (E.C. 48915(c)) A mandatory recommendation for expulsion will be made for:

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

PROVIDING EDUCATION FOR EXPELLED STUDENTS (E.C. 48916.1, 48926) TVCS offers education for expelled students.

SUSPENSION BY TEACHER (E.C. 48910) A teacher may suspend any student from the teacher's class for any of the acts listed under Section 48900 for the day of the suspension and the day following.

IN SCHOOL SUSPENSION (E.C. 48911.1) A pupil suspended from a school for any of the reasons enumerated in Sections 48900 and 48900.2 may be assigned, by the principal or the principal's designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils, or staff or if an action to expel the pupil has not been initiated.

EXPULSION HEARINGS (E.C. 48918) The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within thirty (30) school days after the date the principal, superintendent or designee determines that the pupil has committed any of the acts enumerated under Section 48900, unless the pupil requests in writing that the hearing be postponed. Written notice of the hearing shall be forwarded to the student and student's parents/guardian at least ten (10) calendar days before the date of the hearing. **DUE PROCESS RIGHTS** When recommended for expulsion, a student has the right to appear in person, be represented by counsel, to inspect and obtain copies of all documents to be used at the hearing, to confront and question all witnesses testifying, to question evidence presented and present oral and documentary evidence on the pupil's behalf.

PERSONAL APPEARANCE OF WITNESSES (E.C. 48918) At the request of superintendent or pupil, the governing board may issue a subpoena for the personal appearance of a key witness at the hearing.

EXPULSION READMISSION PROCEDURES (E.C. 48916) An expulsion order shall remain in effect until the governing board orders the readmission of the student.

IEP NOTIFICATION (E.C. 48915.5; 34 C.F.R. 300.530 — 300.532) Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, parent, and relevant members of the child's IEP Team must review all relevant information to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to the student's disability, or
2. If the conduct in question was the direct result of the LEA's failure to implement the IEP.

If the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities except that the child with a disability must continue to receive educational services enabling them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the child's IEP and to receive, as appropriate, a functional behavioral assessment.

If the LEA, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team must—

1. Either—
 - a. Conduct a functional behavioral assessment, unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
 - b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and
2. Except in limited circumstances, return the child to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, may appeal such decision and request a due process hearing.

REQUIRED PARENTAL ATTENDANCE (E.C. 48900. 1) Whenever a student is suspended from a class by a teacher for violation of section (i) or (k) under 48900 (profanity, disruption, willful defiance), the teacher from whose class the student was suspended may require the student's parents/guardian to attend a portion of a school day in that class. After the visit, the parents or guardian shall meet with the principal or principal's designee.

ALTERNATIVE AND OTHER MEANS OF CORRECTION (E.C. 48900, 48900.5) TVCS employs means of correction other than suspension and expulsion, and it may document other means of correction short of suspension and expulsion and place the documentation in the pupil's record. Other means of correction may include: a conference between school personnel, the pupil's parent or guardian and the pupil; referrals to the school counselor or psychologist; study teams, guidance teams or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-educational assessment; and after-school programs that address specific behavioral issues. A pupil may be suspended, for any of the reasons enumerated in E.C. 48900 upon a first offense, if the principal or superintendent of schools

determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that pupil's presence causes a danger to persons.

UNIFORM COMPLAINT PROCEDURE (5 CCR 4600 et seq.) TVCS has established Uniform Complaint Procedures to resolve alleged acts of discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and Education Code section 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, which apply to all state and federally funded programs. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, career technical education, child care and developmental programs, child nutrition programs, special education programs, pupil fees, "Williams Complaints" as defined below, Local Control Funding Formula and Local Control and Accountability Plan (E.C. 52075(a)), student parent lactation accommodations (E.C. 222), course assignments (E.C. 51228.3), physical education instructional minutes (E.C. 51210, 51223), and matters pertaining to the rights of foster youth (E.C. 48853.5). Information on TVCS policy regarding the Uniform Complaint Procedures, may be found at www.tvcscougars.com.

APPEAL OF UNIFORM COMPLAINT (5 CCR 4632) Except for complaints regarding instructional materials and teacher vacancies or missed assignments, a complainant may appeal TVCS's decision to the California Department of Education by filing a written appeal within 15 days of receiving the Decision.

CIVIL LAW REMEDIES (E.C. 262.3; 5 CCR 4622) A complainant may pursue available civil law remedies outside of TVCS's Uniform Complaint Procedures as provided by law.

UNSAFE SCHOOL CHOICE (5 CCR 11993(k); 20 U.S.C. 7912) Students shall be allowed to attend a safe school. TVCS shall notify parents or guardians of pupils in elementary and/or secondary schools considered to be "persistently dangerous" pursuant to California Department of Education guidelines and of available options for attendance at a safe school. "Any firearms violations" is an event which must be considered in determining whether a school site is at risk of being classified as persistently dangerous.

USE OF TEXTBOOKS AND LIBRARY BOOKS Borrowing privileges for textbooks and library books are available to all students. It is the responsibility of the student to keep textbooks and library books in good condition and to return them on time. Each student is responsible for returning the books originally issued to him/her with the exact matching barcodes listed on their computer check out records. Students must return and/or pay for overdue, damaged, stolen or lost textbooks and library books.

WALKING OR RIDING A BIKE TO SCHOOL (V.C. 21212; E.C. 44807) Parents of children who walk or ride their bicycles to school are asked to go over a safe route to school with their children. Walkers may not take shortcuts through private property. All children are expected to display good behavior on the way to and from school. TVCS prohibits skateboards, scooters and related items from being used on school grounds at any time. No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear inline or roller skates, nor ride as a passenger on 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.

END OF DOCUMENT