



MUHSD

Merced Union High School District

Parent Advisory of Rights

2016-2017

- ◆ *Rights of Parents*
- ◆ *Rights of Students*
- ◆ *Rights of School*
- ◆ *Right Conduct*

*This handbook contains important information
related to school policies, laws and mandatory
parent advisories*

Published by
Child Welfare, Attendance and Safety Office

**Our District Office is located at
3430 "A" Street, Castle Airport, Atwater, CA 95301**

--A safe school and positive home environment are the foundations for high achievement--

The Merced Union High School District

District Phone Numbers

Superintendent	325-2020
Child Welfare & Attendance Office	325-2111
Educational Services	325-2050
Human Resources	325-2010
Maintenance	325-2300
Food Services	325-2210
Business	325-2030
Transportation	325-2350

School Phone Numbers

Atwater High	325-1200
Buhach Colony High	325-1400
El Capitan High	384-5500
Golden Valley High	325-1800
Livingston High	398-3200
Merced High	325-1000
Adult School	325-2800
Independence High	325-1694
Sequoia High	325-1700
Yosemite High	325-1600

School Safety "Tip" Lines

You can leave an anonymous tip regarding any safety concern at:

Atwater High	357-6072
Buhach Colony High	325-1447
El Capitan	384-5545
Golden Valley High	325-1847
Livingston High	398-3247
Merced High	325-1047
East Campus Education Center	325-1647

WEB SITE

District and school WEB sites can be found at--
<http://www.muhsd.org/>

Board of Trustees

Dora Crane
Dave Honey
Richard Lopez
Greg Opinski
Phil Schiber

Board of Trustees Information

The Board of Trustees consists of five members who are elected to four-year terms by a district-wide vote. Each board member lives in a different part of the district. These elected officials are responsible for setting district policy and approving the district's annual budget. The chief administrative official is the superintendent. The Board believes everyone should be aware of their rights and responsibilities as outlined in this handbook. Board meetings, which are open to the public, convene on the second Wednesday of each month at 5:30 p.m. During the summer and holiday season the schedule may vary. The site of the meetings is rotated between the various high schools within the district. For additional information contact Mrs. Rohrback, Assistant to the Superintendent at 325-2020.

Student Procedures for Reporting Concerns

In addition, tips can be sent to school administration via anonymous text message by dialing TIP411 (847411) and including the school's "keyword" in the text message.

Keywords will be made available to all students at the beginning of each school year.

School Handbooks

This year, student handbooks will be distributed to all students electronically and will also be located on the school sites website. The handbooks contain important information on absences, student behavior and conduct rules, school schedules, and other important information. It is recommended that all parents read their child's school handbook. [Ed Code 35291]

Tobacco-Free Schools

All facilities of the Merced Union High School District are considered Tobacco-Free. Signs stating "Tobacco Use is prohibited" are prominently displayed at all entrances to school property. Any person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

- 1) Direct the person to leave school property;
- 2) Request local law enforcement assistance in removing the person from school premises.

If a person repeatedly violates the tobacco-free schools policy, s/he may be prohibited from entering district property for a specified period of time.

Respect for Self & Others in School

In recognizing that MUHSD is a multi-racial, multi-ethnic, multi-lingual school district, the Board of Trustees, believes it is part of our mission to provide a positive, harmonious environment in which respect for the diverse makeup of the school community is promoted. Human dignity is reflected in attitudes and behaviors toward others and self. Human dignity is characterized by respect, sensitivity and care exhibited in the interaction of staff and students.

The school district does not tolerate behavior by students, staff or visitors which insults, degrades or stereotypes any race, gender, disability, physical characteristics, ethnic group, sexual preference, age, national origin or religion.

Children in Homeless/Foster Care Situations

Each local district shall designate a staff person as a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. If you have questions or believe you qualify, please contact the Child and Youth Liaison at (209) 325-2113. (42 U.S.C. 11432(g)(1)(J)(ii),)

A district serving a homeless child must allow the child to continue his/her education in the school of origin through the duration of homelessness at the point of any change or any subsequent change in residence once a child becomes a homeless child. If the child's status changes before the end of the academic year so that he/she is not homeless, the district must allow a child in high school to continue his/her education in the school of origin through graduation. A homeless child transitioning between school grade levels must be allowed to continue in the school district of origin in the same attendance area. If a homeless child is transitioning to a middle or high school where the school designated for matriculation is in another school district, the homeless child must be allowed to continue to the school designated for matriculation in that school district. The new school is required to enroll the child immediately regardless of any outstanding fees, fines, textbooks or other items or moneys due to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including medical records, proof of immunization history, and proof of residency. (Ed. Code, § 48852.7)

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

The district serving the foster child shall allow the foster child to continue his/her education in the school of origin under specified circumstances. If it is determined that it is in the best interests of the foster child to transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended or if the child is unable to produce clothing or records normally required for

enrollment, including immunization history. The last school attended must provide all records to the new school within two business days of receiving the request. (Ed. Code, §§ 48853, 48853.5)

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

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

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

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

Student Parent Lactation Accommodations:

The District is required to provide reasonable accommodations to a lactating student on a school campus to address breastfeeding needs. (Ed. Code, §222)

A student may not be penalized academically because of the reasonable accommodations provided during the school day. A student must also be given the opportunity to make up missed work.

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

Bullying: Each year we have a few students who make inappropriate gestures, comments, or threats to other students. These actions will not be tolerated on any District campus or at any school activity whether on or off campus. Under no circumstances should a parent tolerate such behavior by their child. *Victims need to immediately report such occurrences to an Associate- Principal.*

M.U.H.S.D. Transfer Policies

Board Philosophy: Transfer of Schools - An important component of the Board of Trustees responsibility is the assignment of students to schools within the District. This responsibility to conduct the district's educational program must be administered in a responsible manner. The Board recognizes that continuous movement of students to and from schools of residence creates an instructional and financial burden on schools. However, it also recognizes that there are certain situations that support the transfer of a student for educational reasons in order for the student to succeed. Therefore, it is the philosophy of the Board to allow Intradistrict transfers for verifiable and compelling hardships that would be critical to the success of the student. Students obtaining a transfer will be responsible for their own transportation.

Student Residency: A student may be enrolled in the District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the District (Ed. Code, §48200); (2) the District has approved interdistrict attendance (Ed. Code, § 46600); (3) the student is placed in a regularly established children's institution, licensed foster home, or family home; (4) the student is a foster child who remains in his or her school of origin pursuant to Education Code Section 48853.5(d) and (e); (5) the student is emancipated and lives within the District; (6) the student lives in the home of an adult who has submitted a caregiver affidavit; or (7) the student resides in a state hospital within the District; or (8) the student's parent or legal guardian resides outside of the boundaries of the school district but is employed and lives with the student at the place of his/her employment within the school district boundaries for a minimum of three days during the school week. (Ed. Code, § 48204). The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the district's boundaries for a minimum of 10 hours during the school week. (Ed. Code, §48204).

Intradistrict Transfers: [Board Policy 5116.1] All new enrollees and incoming 9th grade students shall be enrolled at the appropriate high school in attendance with their legal residence within the appropriate high school attendance boundaries. Any transfer request must be completed between January 1st and April 1st to be considered for the following school year. Requests may also be made at semester. Transfers will only be approved based on Board Policy and family hardship which prohibits the student from attending his/her school of residency. A hardship is defined as an unforeseeable, unavoidable and uncorrectable act, condition, or event, outside of the student's or family's control, which causes the imposition of a severe burden, unrelated to any curricular or co-curricular activity in which the student wishes to participate. All transfers

are valid through the 12th grade; however, transfers may be revoked for habitual truancy, obtaining less than a 2.0 grade point average or by not maintaining acceptable behavior. All students approved for an intradistrict transfer shall lose one school year of athletic eligibility. Students who are not approved for a transfer may appeal the decision through an appeal committee consisting of a three-person district level administrative panel. All requests will be processed through the Child Welfare and Attendance Office.

Interdistrict Attendance Agreements: Students may be authorized to attend a high school in another district and to have his/her average daily attendance credited to the district of attendance provided an official agreement for the current school year has been approved by both the Merced Union High School District and the district which the student wishes to attend as long as there is no charge to MUHSD. Students requesting to attend a school outside the district may obtain a "Request for Interdistrict Transfer" from the Child Welfare and Attendance Official. The Superintendent or Child Welfare and Attendance Official is authorized to approve and sign interdistrict attendance agreements in cases that involve true hardship.

School Enrollment Options: Students are required to be enrolled at a comprehensive high school in their designated attendance area in which their parents, guardian, foster parent, or caregiver resides. Transfers to the district's alternative schools should be initiated through the student's Associate Principal's office. Alternative schools/programs include Yosemite High School, Independence High School, Sequoia High School, Teen Parent Program and the "On-Track" Program.

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

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

process and its subject matter. This opportunity shall be a continuous permanent process.

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

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

Attendance

Board Philosophy: Absenteeism

The Board believes early identification and cessation of excessive student absences is vital to a school's ability to provide a quality instructional program. Good student attendance enables both students and staff to focus on learning. Identifying the reasons for and attempting to correct a student's excessive absenteeism requires a family, school, and community partnership.

Compulsory Attendance: Persons between the ages of 6 and 18, unless otherwise exempted, must attend school on a full-time basis in their school district of residence (E.C. 48200)

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

A student 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 attending the funeral services of a member of his or her immediately 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 of California.
- 4) For the purpose of jury duty in the manner provided by law.
- 5) Due to the illness or medical appointment during the school hours of a child of whom the pupil is the custodial parent.
- 6) For justifiable personal reasons (administrative prior approval required).
- 7) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Election Code.
- 8) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent/designee of the school district.

A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and,

Attendance Procedures: The Attendance office staff is available from 7:00am to 3:30pm to receive phone calls and notes regarding absences. An answering machine is available to take your calls after hours. Absences must be cleared within 48 hours or they will be documented as unverified. Teachers allow make-up work for all absences. It is the student's responsibility to request missed assignments and homework. A note, written by the parent/guardian, on the day of return to school is also acceptable. This note must state the student's name and birth date, the date, and reason for the absence, and must be signed by the parent, turned in to the Attendance office upon return to school. Please write down a phone number where your parent can be reached for verification or clarification. (E.C. 48205, B.P. 5113, 5113.1)

Excessive Absence Policy: The Board of Trustees believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.

Truancy: Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse. Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. Thus, a pupil becomes an "habitual truant" if s/he is absent without valid excuse six full days in one school year or tardy for more than any 30-minute period, or absent during the school day (cutting) without a valid excuse on six occasions in one school year, or any combination thereof. Students who are classified as habitual truants may be subject to any/all of the following: (a) required to attend Saturday school; (b) referred to the local School Attendance and Review Board (SARB); (c) referred to the District Attorney; (d) transferred to an alternative education program. Parents/guardians of truant students may be fined in Court for their failure to insure attendance at school. Public assistance benefits may be reduced to families for pupils who are absent

without valid excuse from school for more than one school day per month.

Senior 90% attendance rule: Seniors are required to maintain a minimum of 90% attendance during the school year. Those seniors who fail to attend school at a 90% rate may be denied the privilege of participating in senior activities and the graduation ceremony.

Leaving School Grounds: Pursuant to section 44808.5 of the Education Code, the Governing Board has decided to permit eligible 11th and 12th grade pupils enrolled at Merced High School or Golden Valley High School to leave the school grounds during the lunch period. Section 44808.5 of the Education Code further states: "Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds." (Ed. Code 44808.5)

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

Health and Wellness

Medical Coverage for Injuries: Medical and hospital services for pupils injured at school or school-related events, or while being transported, may be insured. No pupil shall be compelled to accept such services without his or her consent, or, if the pupil is a minor, without the consent of a parent or guardian. (Ed. Code 49472) Subject to certain exclusions, the District provides limited student accident insurance, which is secondary to any insurance coverage provided by a parent or guardian."

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

Administration of Medication: Medication prescribed by a physician for a child may be administered during the school day by a registered nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-injectable epinephrine, Glucagon or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instruction from a physician. Medication needs to be in its original container. Forms for administering medication may be obtained from the school secretary.

Services for Students with Exceptional Needs or a disability: State and federal law requires that a free and

appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Disabled students for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. 104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone: Cristi Schumacher, Director of Student Support Services, P.O. Box 2147, Merced, CA 95344 - (209) 325-2120

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

A parent or guardian may consent in writing for a physician, surgeon, or health care practitioner acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. (Ed. Code, §§ 48216, 48853.5(d), 48980(a), 49403, Health & Safety Code, §§ 120325, 120335, 120341)

Confidential Medical Services: For students in grades 9 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student's parent or guardian (Ed. Code 46010.1)

Resuscitation Orders: The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical "do not resuscitate" orders. Staff shall not accept or follow any such orders unless they have been

informed by the Superintendent or designee that the request to accept such an order has been submitted to the Superintendent or designee, signed by the parent/guardian, and supported by a written statement from the student's physician and an order from an appropriate court.

Temporary Disability: A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school

district of residence, shall be deemed to comply with the residency requirements of the school district in which the hospital is located. (Ed. Code 48206.3, 48207, 48208, 48980(b))

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

Curriculum and Instruction

Graduation Requirements: Semester Credit – five credits are granted each semester for every class successfully completed.

A. Required Subjects

1. Physical Education/Athletics – 20
2. English – 40
3. Social Studies – 40
 - a) Health and Wellness – 5
 - b) Geography – 5
 - c) World History – 10
 - d) U.S. History – 10
 - e) Economics – 5
 - f) American Government – 5
4. Mathematics – 20
 - a) A minimum of 10 credits in Algebra 1 (or college prep math) is required.
5. Science – 30
6. World Language/Fine Arts or CTE – 10
 - a) Any photography, art, music, drama, or yearbook class will qualify for fine arts credit.

Total required course credit – 160

Total elective course credit - + 60

Required for Graduation - 220

Total required course credit – 160

Total elective course credit - + 60

Required for Graduation - 220

B. Other Graduation Requirements:

1. Starting with the graduating class of 2015, students must demonstrate competency on the National Educational Technology Standards (NETS).
2. Non-credit requirements: Good citizenship and satisfactory attendance.

Reviewing Instructional Materials:

The Merced Union High School District engages in a very careful review process for all of our instructional materials, textbooks, and novels. Our review process is very important because we want to ensure that your children have the best possible instructional tools.

If you are concerned or have questions about the books, please contact your child's teacher, principal, or the District's Curriculum, Instruction and Assessment Department. We would like to have the opportunity to discuss these concerns with you. If, after this discussion, your concerns have not been relieved, you have the right to request an alternative assignment or book.

If you have any further questions, please don't hesitate to call the District's Curriculum, Instruction and Assessment Department (325-2063).

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

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

These sections do not apply to students in alternative schools, community day schools, continuation high schools or an opportunity school. A district may

continue to authorize dual enrollment in community college, to run evening high school programs, to offer independent study, work experience education, and other specified courses.

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

Career-Technical Education: The Merced Union High School District offers courses of study in the areas of Family and Consumer Science, Industrial Technology, Agriculture, and Business. There are no specific admission requirements for entry into any of these career-technical courses. Lack of English-language skills is not a barrier to admission and participation in career-technical education courses. All students are encouraged to explore areas of interest in selecting career-technical courses as part of their high school careers. To learn more about the Districts career technical education classes, visit the Districts website at <http://www.muhsd.org/> [Ed Code sec 200,230]

Regional Occupational Programs/County Offices of Education Programs/Adult Education Programs:

A regional occupational center or program, county office of education program, or adult education program must meet specified requirements for certification by the Superintendent of Public Instruction in order to provide an employment training program for adults or to authorize an education program beyond secondary education that leads to a degree or certificate. (Ed. Code, § 52334.7)

A complaint alleging that a local agency violated federal or state laws or regulations governing adult education programs under Education Code section 52501 or regional occupational centers and programs may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. A complaint alleging that a county office of education violated federal or state laws or regulations governing the county office’s participation in any student financial assistance program authorized by Title IV may also be filed under the Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

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

Tests on Personal Beliefs: Test, questionnaires or examinations containing questions about the student’s personal beliefs or practices in sex, family life, morality, and religion may not be given to students unless the parent/guardian is notified in writing. [Ed Code Sec 60650]

Minimum College Admissions Requirements: Students who plan to attend a university or four-year College directly after high school will be required to complete additional eligibility requirements while in high school. All California public universities;

California State University (CSU) and University of California (UC) campuses follow the same minimum course requirements, known as the A-G Requirements. Private universities may have different admissions requirements, and it is the student’s responsibility to check those requirements for the school he/she hopes to attend. All students are encouraged to visit college/university websites in order to make well-informed plans for the future. Additional assistance is available in the Counseling Office.

Required “a-g” Courses (CSU and UC)

History/Social Science	2 years required
English	4 years required
Mathematics	2 years required (4 recommended, UC)
Laboratory Science	2 years required (3 recommended, UC)
Language other than English	2 years required (3 recommended, UC)
Visual and Performing Arts (VPA)	1 year required
College-Preparatory Electives	1 year required

Other factors considered in the admissions process are grade point average (GPA), Scholastic Aptitude Test/ American College Test (SAT/ACT) scores, the overall rigor of the high school course of study, extracurricular activities, and personal circumstances. Students and parents are strongly encouraged to visit www.calstate.edu or www.universityofcalifornia.edu for more detailed information.

Internet Access: The District offers access to computers and people across the world. Students and staff have limited access to electronic mail, college and university libraries, information and news from a variety of sources, discussion groups on a wide variety of topics, and much more. The protection of students is a paramount concern of the Merced Union High School District. The District will make every effort to protect students and teachers from any misuses or abuses as a result of their experiences with an information service. However, on the Internet it is impossible to control the content of data and a user may discover controversial materials. It is the user’s responsibility not to initiate access to such material. The District makes no warranties of any kind, whether express or implied, for the service it is providing. The District will not be responsible for any damages a user suffers. This includes loss of data resulting from delays, no-deliveries, miss-deliveries, or service interruptions caused by the District’s negligence or by the user’s errors or omissions. Use of any information obtained via district computers is at the user’s own risk. The district specifically denies any responsibility for the accuracy or quality of information obtained through its services. All users need to consider the source of any information they obtain and consider how valid that information may be. An acceptable use contract is

required of all students using district computers. (Board Policy 6300)

Comprehensive Sexual Health Education and HIV/AIDS Prevention Education: A parent or guardian has the right to excuse their child from comprehensive sexual health education and HIV prevention education. A parent or guardian who wishes to exercise this right must state their request in writing. (Ed. Code, § 51938) A parent or guardian may inspect the written and audio visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them with a copy of the California Healthy Youth Act Education Code section 51930 et.seq). Parents or guardians shall be notified in writing if the District plans to administer an anonymous, voluntary and confidential test, questionnaire or survey containing age-appropriate questions about the pupils' attitudes concerning or practices related to sex in grades 7 to 12 and given the opportunity to review the test, questionnaire or survey. A Parent or guardian has the right to excuse their child from the test, questionnaire, or survey by stating their request in writing. (Ed. Code, § 51938) Every child's parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified.

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

No Child Left Behind Act of 2001: The California Department of Education is in the process of transitioning from the requirements of the No Child Left Behind Act to the new Every Student Succeeds Act (ESSA). Both of these laws modify the Elementary and Secondary Education Act of 1965 (ESEA). Most of the new provisions will apply in the 2017-2018 school year. As the District receives updates, parent notice requirements may change.

Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides: Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he/she teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether s/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to parents child and, if so, their qualifications. Section 1111(h)(6)(A) of the ESEA, as amended by NCLB)

Limited English Proficient Students: The Act requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, not later than 30 days after the beginning of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student's level of English proficiency and how such level was assessed; the status of the student's academic achievement; the methods of instruction used in the available programs; how the recommended program will meet the student's needs; the exit requirements for the program; how the program meets the objectives of the student's IEP if applicable, and; parent options for removing a student from a program and/or declining initial enrollment. (Section 3302(a) of the ESEA, as amended by NCLB)

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

Pupil-Free Staff Development Day and Minimum Day Schedule: A copy of the District's pupil-free staff development day and minimum day schedules is located on page 26. A pupil's parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (Ed. Code, § 48980(c))

Review of Curriculum: A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site or District office for your review upon request. (Ed. Code, §§ 49063, 49091.14)

High School Exit Examination: Administration of the high school exit exam is suspended through the 2017-2018 school year. The successful passing of the high school exit exam by each student completing grade 12 is no longer a condition of receiving a diploma of graduation or a condition for graduating from high school through the 2017-2018 school year. (Ed. Code, § 60851.5) Until July 21, 2018, the governing board or body of a school district, county office of education, or charter school must grant a high school graduation diploma to any student who completed grade 12 in the 2003-2004 school year or subsequent school year and met all the applicable graduation requirements other than passing the high school exit exam. (Ed. Code, § 60851.6)

California Assessment of Student Performance and Progress (CAASPP): Assembly Bill 484 launched a new student testing system for California's schools, now called the California Assessment of Student Performance and Progress (CAASPP). The CAASPP system is based on the state's new California Common Core State Standards (CA CCSS) for English-language arts (ELA) and mathematics, adopted by the State Board of Education in 2010. This new system replaces the Standardized Testing and Reporting (STAR) Program that was based on 1997 standards. The primary goal of the new statewide testing program is to better prepare all students for college and careers in the twenty-first century. Computer-based assessments, developed through the Smarter Balanced Assessment Consortium, form the cornerstone for CAASPP.

Preliminary School Achievement Test (PSAT):

This is a diagnostic test to help the school, you, and your student understand more about the student's potential for advanced study. Using this test, we hope to identify many more students for Honors and Advanced Placement courses which will make them eligible to enter colleges and universities upon graduation.

Advanced Placement Tests: These tests provide students who are taking Advance Placement courses with the opportunity to apply for college-level credit at many colleges and universities. Passing of Advanced Placement tests can save families a considerable amount of money which would be required to pay for beginning courses when their child begins college.

Student Test Information: Parents have the right to request and receive all of their child's test results from State academic assessments.

Availability of State Funds to Cover Costs of Advanced Placement Examination Fees: The District may help pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged students. (Ed. Code, §§ 48980(k) and 52242)

School Accountability Report: Parents, guardians, or caregivers may request a School Accountability report Card, which is issued annually for each school of the District. [Ed. Code 35256]. They are also on the MUHSD Web Site - <http://www.muhsd.org/>

U.S. Department of Education Programs: All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the children. No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals personal information concerning:

- a. political affiliations of the student or student's parents;
- b. mental and psychological problems potentially embarrassing to the student or his/her family;

- c. sex behavior or attitudes;
- d. illegal, anti-social, self-incriminating and demeaning behavior;
- e. critical appraisals of other individuals with whom respondent have close family relationships;
- f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g. religious practices, affiliations, or beliefs of the student or student's parent; or
- h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program). Without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

Senior Activities Including Graduation Ceremony:

These activities are a privilege not a right. Districts may prohibit seniors from participating in graduation ceremonies and senior activities. Any senior who has been declared ineligible for co-curricular and extra-curricular activities due to truancy, excessive absences, home suspension, and substance offenses may be denied the right to participate in any or all such activities.

Changes to summer school: Beginning with summer of 2005, summer school will be offering fewer courses for the purposes of advancing the student's program. This is the result of decreased state funding. Other methods of moving ahead in the program are currently being developed. Parent should look into private independent study type courses offered by some colleges.

Child Find System; Policies and Procedures: Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the Director of Student Services and/or Special Education, or his/her designee. Policy and procedures shall include written notification to all parents of their rights pursuant to Education Code section 56300. (Ed. Code 56301, 34 C.F.R. 104.32(b))

Child Custody

Schools in the Merced Union High School District follow child custody decisions made by the courts. Principals cannot modify a judge's ruling regarding the custody of a child. If a child custody arrangement has changed, a parent or guardian must provide legal documents to the school stating this. Thank you for your cooperation.

Safety And School Discipline

Every parent is concerned about school safety and student violence. The Merced Union High School District is committed to providing safe, secure, and peaceful campuses for all students and staff members. Take some time to discuss these important issues with your child.

Chat Rooms: Each year our District identifies students who make threats or spread vicious rumors about others in a private Internet. This is referred to as Cyber terrorism. These students may be prosecuted for penal code violation. Be aware of your child's use of "chat rooms."

Cell Phones/Videotape Technology: Students will be allowed to use cell phones and other electronic communication devices on campus during the school day. The exception will be during instructional time. Appropriate use of such devices during instructional time will be at the discretion of and authorized by the classroom instructor. The school assumes no responsibility of theft or damage to students' cell phones. Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours. (Ed. Code, §48900(r))

Dangerous Objects: Communicate with your children not to bring objects such as pocket knives, box cutters, pepper spray, firecrackers, laser pointers, inappropriate website printouts, or any other dangerous object to any school site. Children who choose to bring dangerous objects to any school site or school activity should expect to be suspended or expelled. Ask your children to check with you for approval before they bring any questionable object on to school grounds.

Drugs/alcohol: Today's teen is being exposed to old, new and their parent's prescription drugs. Please be aware and destroy all prescription drugs no longer in use. For more information on Drugs or Teen Violence go to: <http://www.stopdrugs.org>

If your child or someone your child knows is using drugs or alcohol, there is help. Contact your child's counselor, the County's Recovery Assistance For Teens (R.A.F.T.) at (209) 381-6860 or the district's Intervention Specialists at (209) 325-2555.

Need Confidential help with drugs/alcohol or violent situations? The District offers a confidential program for all campuses. Please call your school counselor or Administrator for information.

Students **using drugs and alcohol** continue to be an on going problem in high school through out the United States. In addition to our curriculum and counseling programs, our schools also have routine visits by Kontraband Interdiction & Detection Services, drug/alcohol/gunpowder sniffing canines. These canines are very friendly. They do not sniff students, only the air around their belongings, lockers and cars. If your child is driving your car, it could be sniffed by a canine. They can smell the car's residue odor of alcohol that was in a bag of groceries the day before. If alerted, school personnel will have your child open the car. If there is an inappropriate and/or dangerous object found in the vehicle, your child will be disciplined according to California Education Code. Please help your child by providing them with a "clean" car.

Parent/Guardian Liability: Parents or guardians are liable for any willful conduct of their minor children which results in injury to another student or to school district personnel, or for any willful cutting or defacing of any school property belonging to a school district or to a school employee, or for any property belonging to the school district and loaned to the minor student and not returned. Such liability shall not exceed \$10,000.00. [Ed Code Sec 48904]

Following due process procedures, the school district may withhold the grades, diploma or transcripts of the student responsible until such damages are paid or until completion of a voluntary work program in lieu of payment of monetary damages. [Ed Code Sec 44904.3]

The district is not liable for conduct and safety of any student who leaves school grounds (including lunch period) [Ed Code Sec 44808.5]

Search and Seizure

STUDENTS

Search and Seizure [Board Policy 5125]

A. Philosophy

The Board of Trustees is committed to providing students and employees with a safe learning environment that is free from illicit drugs, alcohol, and weapons. To this end, the Board prohibits the presence of drugs, controlled substances, alcohol, weapons of any type, explosive devices, or any other intoxicant on District property or at any District sponsored event. Due to incidents which may occur that jeopardize the health, safety, and welfare of students and staff, the Board recognizes the necessity of search and seizures of students, their property, or lockers by school officials. Students and parents/guardians shall be informed of this policy at the beginning of each school year.

B. Student Responsibility

All students are responsible for the security of any vehicle; locker, desk, bag, or other item they possess or bring onto District property or to a District sponsored event. No student shall possess, place, keep, or maintain any article or material that is prohibited by law or District policy in lockers, vehicles, desks, bags or other items assigned to them or under their control while on District property or at a District sponsored event.

C. All Searches

School officials may search individual students and their property (including vehicles) when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the District or the school. The Board urges that discretion, good judgment, and common sense be exercised in all cases of search and seizure. Local police assistance shall be requested when needed.

The parent/guardian of a student subjected to an individualized search shall be notified by the District as soon after the search as possible.

D. Student Lockers

Because lockers are under the joint control of the student and District, school officials shall have the right and ability to open and inspect any school locker without student permission when they have reasonable suspicion that the search will disclose evidence of illegal possessions or activity or when odors, smoke, fire and/or other threats to student health, welfare or safety emanate from the locker.

For health and safety reasons, a general inspection of school properties such as lockers and desks may be conducted on a regular, announced basis with students standing by their lockers or desks. Any items contained in a locker shall be considered to be the property of the student to whom the locker was assigned. Notice of this policy shall be given to all students when lockers are assigned.

E. Use of Canine Inspections

The District reserves the right to use trained detection canines for the purpose of conducting periodic, random inspections of school premises, including unoccupied classrooms, student lockers and vehicles parked on or near school grounds. Detection canines shall remain under the control of the canine's official handler at all times.

F. Use of Metal Detectors:

In order to deter the presence of weapons and promote safety of all students, faculty and staff, and visitors, the Merced Union High School District may maintain and use walkthrough metal detectors and hand-held detectors for utilization in schools and at school activities as outlined in district policy.

G. Campus Security

The Governing Board is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft. To this end, the board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. In consultation with the district and site safety planning committees and relevant staff, cameras have been strategically placed in various locations including: outdoor facilities, indoor facilities, work locations, classrooms and school buses. Audio shall be permitted on school buses. No cameras have been placed where students, staff, or community members have a reasonable expectation of privacy.

H. Drug Testing – The district has established and maintains a voluntary drug testing program. Participation in this program shall require the written consent of the student and his/her parents/guardians. Parents/guardians shall be notified after any positive test results are confirmed. The district shall not release test results to law enforcement authorities.

Healthy Kids Survey

The California Healthy Kids Survey is a comprehensive youth self-report data collection system that provides essential and reliable health risk assessment and resilience information to schools, districts, and communities sponsored by the California Department of Education. The survey is a powerful tool that can help schools and districts meet all the new assessment requirements of the No Child Left Behind Act (NCLB) for Title IV Safe and Drug Free Schools and Communities by accurately identifying areas of strength and weakness. It is designed to be part of a comprehensive data-driven decision making process to help guide the development of more effective health, prevention, and youth development programs.

All schools that accept funds under the federal No Child Left Behind Act's Title IV Safe and Drug Free Schools and Communities program (SDFSC) or the state Tobacco Use Prevention Education (TUPE) program must administer the CHKS at least once every two years. The CHKS is also required by schools that have after school programs funded under the 21st Century Community Learning Centers program, as part of their evaluation efforts.

At the heart of the CHKS is a research-based "Core" module that provides valid indicators of drug use, violence, crime, and physical and mental health. In addition to the Core, there are five supplementary modules to choose from that ask detailed questions on specific topics. CHKS targets students in grades 5, 7, 9, and 11. The survey is administered every other year and will be administered next year to all 9th and 11th grade students.

The survey participation is voluntary. Students have the right to decline participation and to not answer any question that makes them uncomfortable. Parents may contact the school and let school officials know that they do not want their child to complete the survey. The survey is anonymous; no names will be recorded or attached to the survey forms or data. The test will be administered in Social Studies classes.

The survey content gathers information on behaviors such as physical activity and nutritional habits; alcohol, tobacco, and other drug use; school safety; considering, planning, or attempting to commit suicide; sexual behavior and practices leading to HIV/AIDS, sexually transmitted diseases, and pregnancy. You may examine the questionnaire in the school office or at your district's website: www.muhsd.org or by visiting the CHKS web site at: <https://www.wested.org/project/california-healthy-kids-survey-chks/>.

To get further information about the California Healthy Kids Survey you may also visit the web site at: www.californiahealthykids.org

Dress Policy Guidelines

- **All clothing must be worn as to not expose undergarments or midriffs standing or sitting. Shorts and skirts must be worn no shorter than the mid-thigh.**
- No spandex-type pants or tops which draw attention to the wearer.
- No attire which is sexually suggestive, provocative, or extremely brief, such as low-cut garments, strapless or off the shoulder tops, tube tops, bare midriffs, tank tops with straps less than one (1) inch in width, or muscle shirts, sleeveless undershirts, fishnet tops, short shorts or skirts, see through tops, backless tops, etc. Clothes will be sufficient to conceal undergarments at all times.
- No shirts, jackets, etc. displaying profanity, vulgarity, obscene, libelous, slanderous or sexually suggestive language, pictures, or slogans.
- No clothing, accessories or jewelry that degrades any cultural, religious or ethnic group.
- No clothing, accessories, jewelry, etc. which advertises or encourages the use of illegal drugs, alcohol and/or illegal substances, promotes the use of tobacco, or displays weapons.
- No attire, which designates affiliation with outside groups, organizations, or gangs. This includes, but is not limited to: pants sagging below the hips (whether exposing underwear or not), hanging belts, hair nets, gang related initials or symbols, gang type writing on person, clothing or personal belongings including notebooks.
- ***School administrators have the right to restrict and/or prohibit the color of clothing worn by any student in a documented gang offense. The school also reserves the right to limit dress to no more than one article of clothing known as a gang color i.e. red or blue.***
- No chains, spiked collars or bracelets, and rings that could be used as a weapon. Students may wear a single wallet chain having a length of no more than 12 inches and only heavy enough to adequately protect the wallet.
- No bare feet. Appropriate shoes must be worn at all times.

Headwear

- No bandannas, doo-rags, or wave caps.
- All hats must be school sanctioned. Hats may only be school colors and must bear the school logo. Hats may not be worn indoors.
- No garments or headwear that conceals identity are permitted. However, wearing hoods may be authorized by administration given severe weather conditions (i.e. rain, gusty winds).
- School officials may approve the wearing of headwear for special reasons such as athletics, religious practices, theatrical performances, student rallies and activity weeks or health needs.

Note: The final determination of what constitutes appropriate dress shall be made by the school administration. All borderline cases will be considered a violation.

STUDENT BEHAVIOR AND CONDUCT CONSEQUENCES

Immediate Suspension and must recommend expulsion on 1st offense

DESCRIPTION	Consequences Mandated expulsion recommendation	B.P. 5144.1	ED CODE 48915(C)
Brandishing a knife	Mandatory expulsion (1 year)	A.2	2
Possession of firearm	Mandatory expulsion (1 year)	A.1	1
Selling/furnish controlled substance	Mandatory expulsion (1 year)	A.3	3
Possession of an explosive	Mandatory expulsion (1 year)	A.5	5
Committing or attempting to commit a sexual assault or committing a sexual battery	Mandatory expulsion (1 year)	A.4	4

DESCRIPTION	Consequences: Mandated Recommendation/ Permissive Expulsion	B.P. 5144.1	ED CODE 48900
Serious injury	5 day suspension, expulsion	A.6	A(2)
Assault/battery against any person	5 day suspension, expulsion	A.10	A(2)
Possession of knife/dangerous object	5 day suspension, expulsion	A.7	B
Robbery/Extortion	5 day suspension, expulsion	A.9	E
Possession of drugs*	5 day suspension, expulsion	A.8	C
Possession of alcohol*	5 day suspension, expulsion	B.1	C

**Suspension and intervention program considered on 1st offense.*

Causes for Possible Suspension/Expulsion on the First Offense

DESCRIPTION	Consequences:	B.P. 5144.1	ED CODE 48900
	Depending on the seriousness of the act, a five-day suspension and expulsion may be immediately recommended on the 1 st offense.		
Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance	1 st Offense – Parent conference and immediate five-day suspension. Student may attend District Opportunity Center (DOC) in lieu of immediate five-day suspension, loss of eligibility for extracurricular and co-curricular activities for a nine- week period and notification of appropriate law enforcement agency. Community service may also be required. Student may attend and successfully complete district-approved substance abuse program other than the DOC. 2 nd Offense – Parent conference, immediate five-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency. NOTE: The 2 nd offense occurring during <u>any subsequent school</u> year may result in a recommendation for expulsion.	B.1	C
Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia	1 st Offense – Parent conference and immediate five-day suspension. Student may attend District Opportunity Center (DOC) in lieu of immediate five-day suspension, loss of eligibility for extracurricular and co-curricular activities for a nine- week period and notification of appropriate law enforcement agency. Community service may also be required. Student may attend and successfully complete district-approved substance abuse program other than the DOC. 2 nd Offense – Immediate five day suspension, parent conference,	B.2	J

	<p>recommendation for expulsion, and notification of appropriate law enforcement agency.</p> <p>NOTE: The second offense occurring during <u>any subsequent school year</u> may result in a recommendation for expulsion.</p>		
<p>Stole or attempted to steal school property or private property.</p> <p>Knowingly received stolen school property or private property.</p>	<p>1st Offense – Parent conference, immediate one to five-day suspension. Alternatives to home suspension may be used. Notification of appropriate law enforcement agency at the discretion of the administration.</p> <p>2nd Offense – Parent conference, immediate five-day suspension and parent conference. Additional alternatives to home suspension may be used. May refer the student to an alternative educational program.</p> <p>3rd Offense – Immediate five-day suspension, parent conference and recommendation for expulsion.</p> <p>NOTE: Grand theft or felony cases will result in notification of appropriate law enforcement agency.</p>	B.3	G,L
<p>Caused or attempted to cause damage to school property or private property.</p>	<p>1st Offense – Parent conference, immediate one to five-day suspension. Alternatives to home suspension may be used. Notification of appropriate law enforcement agency at the discretion of the administration.</p> <p>2nd Offense – Parent conference, immediate five-day suspension. Additional alternatives to home suspension may be used. May refer the student to an alternative educational program.</p> <p>3rd Offense – Immediate five-day suspension, parent conference and recommendation for expulsion.</p> <p>NOTE: The parent or guardian will be held responsible for damages to school district property and restitution for damages. The parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage. (Education Code 48904, Penal Code 594, Civil Code 1714.1)</p>	B.4	F
<p>Fire-setting, attempted fire-setting or bomb threat – including the activation of false alarms or tampering with emergency equipt.</p>	<p>1st Offense – Parent conference, immediate one to five-day suspension. Student and parent to participate in Threat Assessment if administration deems necessary. Alternatives to home suspension may be used. Restitution for damages may be a condition of re-admittance. Notification of appropriate law enforcement agency at the discretion of the administration.</p> <p>2nd Offense – Immediate five-day suspension. Recommendation for Expulsion.</p>	B.5	F
<p>Cause, attempt to cause, threaten to cause physical injury to another person.</p>	<p>1st offense – 5 day home suspension</p> <p>2nd offense – Expulsion</p>	B.7	K, A (1)
<p>Threatening, intimidating, menacing any other person.</p>	<p>1st offense 1 – 3 days suspension</p> <p>2nd offense – 3-5 days suspension</p> <p>3rd offense – Mandatory removal from campus</p>	B.7	A (1)
<p>Harassment/Hazing/sexual harassment, degrading or disgracing any other person.</p>	<p>1st offense 1– 3 days suspension</p> <p>2nd offense – 3-5 days suspension</p> <p>3rd offense – Mandatory removal from campus</p>	B.10, B.8, B.12	O, Q
<p>Upbraiding, insulting/abusing teachers or other school personnel</p>	<p>1st offense 1 - 3 days suspension</p> <p>2nd offense 3 - 5 days suspension</p>	B.11	K, I
<p>Defiance, refusing to comply with reasonable request.</p>	<p>1st offense 1- 3 days suspension</p> <p>2nd offense 3 - 5 days suspension</p>	B.15	K
<p>Failure to identify oneself/false info</p>	<p>1st offense 1- 3 days suspension</p> <p>2nd offense 3- 5 days suspension</p>	B.15	K

Willful disruption	1st offense 1 -3 days suspension 2nd offense - 5 days suspension, mandatory removal from campus	B.16	K
Possession and/or use of tobacco	1st offense 1 - 3 days suspension 2nd offense - 3 days suspension	B.17	H
Forgery, falsifying or altering school correspondence.	1 st offense 1 - 3 days suspension 2 nd offense 3-5 days suspension 3 rd offense – May refer to Alternative Ed.	B.18	K
Bullying – including Cyber Bullying	1 st offense 1 - 3 days suspension 2 nd offense 3-5 days suspension 3 rd offense – May refer to Alternative Ed.	B.14	R

Causes for Less Than Suspension on the First Offense

DESCRIPTION	Consequences	B.P. 5421	ED CODE 48900
Unauthorized, improper or unsafe use of electronic communication devices within the jurisdiction of the District.	1 st Offense - Parent conference. Alternative consequences may be assigned. The device may be confiscated for up to one week. 2 nd Offense- Parent conference with A.P. Alternative consequences may be assigned. Device may be confiscated for up to two weeks. 3 rd Offense – Parent conference with A.P. Alternative consequences may be assigned. The device may be confiscated for up to three weeks.	C.11	K
Loitering on campus without any apparent lawful purpose	1 st Offense – Parent conference. Alternative consequences may be assigned. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be used. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.	C.7	K
Interfering with the peaceful conduct of the campus or classroom	1 st Offense - Parent conference. Alternative consequences may be assigned. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be used. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.	C.6	K
Committed an obscene act or engaged in habitual profanity or vulgarity	1 st Offense – Parent conference. Alternative consequences may be assigned. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be assigned. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned. May refer the student to an alternative educational program.	C.1	I, K
Leaving campus without authorization	1 st Offense – Parent conference. Alternative consequences may be assigned. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be assigned. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned.	C.2	K
Tampering with property of the school district or belongings of any other person	1 st Offense – Parent conference. Alternative consequences may be assigned. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be assigned. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned. May refer to an alternative educational program.	C.3	K

Being in a parking lot or out of bounds without proper authorization	1 st Offense – Parent conference. Alternative consequences may be assigned. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be used. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.	C.4	K
Gambling and wagering	1 st Offense – Parent conference. Alternative consequences may be assigned. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be used. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.	C.5	K
PE non suit	1 st - 3rd offense – reprimand/alternative/contact parent 4th offense - 1-3 day suspension 5th offense – Drop/fail from PE for semester	C.6	K
Gang attire	1 st offense – reprimand / alternative 2 nd offense - 1-3 day suspension 3 rd offense – 3-5 day suspension	C.8	K
Violations of district dress code	1 st Offense – Parent conference. Alternative consequences may be assigned. Student may be sent home to dress properly, or change into a school issued loaner shirt. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be used. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. May refer the student to an alternative educational program.	C.8	K
Misconduct on a school bus	1 st Offense – Parent conference. Alternative consequences may be assigned. If incident is serious, student may be suspended from bus and/or school. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be used. Immediate one to five-day suspension of transportation privileges. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be used. Possible loss of transportation privileges not to exceed one semester.	C.9	K
Improper or unsafe use of: bicycles, mopeds, motorcycles, roller skates, in-line skates, scooters, or skateboards on campus.	1 st Offense – Parent conference. Alternative consequences may be assigned. The object may be confiscated for up to one week. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be used. The object may be confiscated for up to two weeks. 3 rd Offense – Parent conference. Immediate three to five-day suspension. The object may be confiscated for up to three weeks. Additional alternatives to suspension may be assigned. May refer the student to an alternative educational program. NOTE: The school cannot guarantee the safety of the items confiscated and assumes no responsibility for the theft of or damage to such articles. Parents may be required to pick up articles from school officials.	C.12	K
Possession of unauthorized articles/items on campus	1 st Offense – Parent conference. Alternative consequences may be assigned. The object may be confiscated for up to one week. 2 nd Offense – Parent conference. Immediate one to three-day suspension. Alternatives to suspension may be assigned. The object may be confiscated for up to two weeks. 3 rd Offense – Parent conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned. The object may be confiscated for up to three weeks. May refer the student to an alternative educational program.	C.10	K

Excessive tardies	<p>Tardy 4: Referral to School Counselor, Parent Contact.</p> <p>Tardy 5: Four-Hour Friday/Saturday School or 2 lunch Detentions. Parent Contact</p> <p>Tardy 6: Four Hour Friday/Saturday School. Parent Conference held with Associate Principal (A.P)</p> <p>Tardy 7: One-day Intervention Center. Parent conference held with A.P.</p> <p>Tardy 8: One-day Intervention Center. Loss of eligibility for 3 weeks. Parent conference held with A.P.</p> <p>Tardy 9: Alternative Consequences – may include home suspension for defiance of authority. Loss of eligibility for 6 weeks. Parent Conference held with A.P.</p> <p>Tardy 10+: School Attendance Review Team or Student Study Team Held. Alternative consequence may be assigned as appropriate per administrative discretion.</p>	C.6	K
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Administrators may take appropriate action when information becomes available about student misconduct that originates away from school grounds or school activities that has a direct and detrimental effect, or seriously threatens the discipline, educational environment, safety or general welfare of students, faculty, staff and/or administrators of the District. Student conduct originating away from school grounds (including from a home computer, other non-school computer, cell phone or other electronic device), which may be subject to discipline as provided herein includes but is not limited to electronic acts that result in a substantial disruption to the educational environment, or for which a substantial disruption to the educational environment is reasonable foreseeable under the circumstances.

Student Rights

Often asked questions

Do all kids have the right to an equal education?

All kids living in the United States have the right to a free public education. The Constitution requires that all kids be given **equal educational opportunity no matter what their race, ethnic background, religion, or sex, or whether they are rich or poor, citizen or non-citizen.** Even if you are in this country illegally, you have the right to go to public school. In addition to this constitutional guarantee of an equal education, many federal, state and local laws also **protect students against discrimination in education based on sexual orientation or disability, including pregnancy and HIV status.**

Do I have a right to express my opinions and beliefs in school? In 1969 in *Tinker v. Des Moines Independent Community School District* the Supreme Court held that students in public schools – which are run by the government – do not leave their First Amendment rights at the schoolhouse gate. This means that you can express your opinions orally and in writing – in leaflets or on buttons, armbands or T-shirts. However, material or comments can not “materially and substantially” disrupt classes or other school activities. The school can stop you from using language that is vulgar or indecent. All students should check their school policy for what they cannot do.

What does freedom of expression mean? The First Amendment guarantees our right to free expression and free association, which means that the government does not have the right to forbid us from saying what we like and writing what we like; we can

form clubs and organizations, and take part in demonstrations and rallies under school rules informing you when this right is allowed. However, using profanity as part of this expression has consequences.

What are my rights if I’m about to be suspended or expelled? No matter how long the suspension, you have a right to notice of the charges against you – that means being told exactly what you did that was wrong. If student denies the charges, the school officials have to tell you what evidence they have, and give you the chance to tell your side of the story. Student and the parents, who feel policy was not followed, have the right to a hearing before a person or people who are impartial, meaning they don’t have anything to do with the incident, and they don’t have any attitude towards you one way or the other. This is usually a district office person. And if you’re facing serious punishment, like expulsion, you have the right to be represented by a lawyer who can call witnesses. You also have the right to question or cross-examine your accusers and the witnesses against you. And you have the right to ask that a record be made of everything that happens at the hearing. You can use this record if you decide to appeal the decision. **But you don’t have the right to a hearing for a minor punishment, such as a five-day suspension, detention, work-detention. The only way your school can suspend or expel a student without notice or a hearing is if they think the student is a danger to other students or to school property. But even then, they’re obligated by law to give the student notice and a hearing as soon as possible after the suspension begins.**

What is religious freedom exactly? The First Amendment to the U.S. Constitution says that everyone in the United States has the right to practice

his or her own religion, or no religion at all. Our country's founders – who were of different religious backgrounds themselves – knew the best way to protect religious liberty was to keep the government out of religion. This fundamental freedom is a major reason why the U.S. has managed to avoid a lot of the religious conflicts. The Establishment Clause of the First Amendment prohibits government from encouraging or promoting (“establishing”) religion in any way. Therefore we don't have an official religion of the United States. This means that the government may not give financial support to any religion.

What about religious clubs or bible distribution?

Student-organized Bible clubs are OK as long as three conditions are met: (1) the activity must take place during non-school hours; (2) school officials can't be involved in organizing or running the club, and (3) the school must make its facilities available to all student groups on an equal basis.

Is it ever okay to pray in school? Individual students have the right to pray whenever they want to, as long as they don't disrupt classroom instruction or other educational activities – or try to force others to pray along with them.

Can I view my own student records? Parents have the right to review their student's records, as do students who are 18 years and older.

Sexual Harassment

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

--Title IX, Education Amendments of 1972

Philosophy: [Board Policy 5145.7] The Board of Trustees recognizes that sexual harassment can cause embarrassment, feelings of powerlessness, loss of confidence, reduced ability to perform schoolwork, and increased absenteeism or tardiness. It is the intent of the Board that this policy will provide for the establishment of an environment within the District that is free of sexual harassment and/or sexual discrimination of students.

Definition: The definition of sexual harassment for the purposes of this policy is the unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when the conduct is sufficiently severe or pervasive to have a

negative impact upon the individual's academic performance, or to create an intimidating, hostile, or offensive educational environment.

Complaints: 1) Students and staff members are encouraged to report incidents of sexual harassment immediately to the principal or designee, 2) an investigation of each complaint of sexual harassment will be conducted in a way to ensure the privacy of all parties concerned. Confidentiality shall be maintained.

Discipline: 1) The Board of Trustees considers sexual harassment to be a major offense, which may result in disciplinary action against the offending individual,

2) Disciplinary action will be conducted in accordance with District's uniform compliance procedure policy and legal due process.

Nondiscrimination and Complaints

Declaration of Nondiscrimination: District programs and activities shall be free from discrimination. Students shall be provided an equal opportunity in all educational programs and activities regardless of disability (mental and physical), gender (includes gender identity and gender related appearance and behavior whether or not associated with the person's assigned sex at birth), nationality (includes citizenship, ancestry color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or the perception of one or more of such characteristics. (Ed. Code, 210-214, 220 et seq., 6626066264, Cal. Code Regs., Tit. 5, 4900 et seq., 20 U.S.C. 1681 et seq, 29 U.S.C. 794, 42 U.S.C. 2000d et seq., 42 U.S.C. 12101 et seq., 34 C.F.R. 106.9).

Equal Opportunity: Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone: Asst. Supt. Human Resources, P.O. Box 2147, Merced, CA 95344 - (209) 325-2010.

Uniform Complaint Procedures (UCP): It is the goal of our district to ensure compliance with applicable state and federal laws and regulations governing educational programs. The District

investigates and seeks to resolve complaints at the local level. The District follows the Uniform Complaint Procedures (UCP) when addressing complaints alleging: Unlawful discrimination on the basis of actual or perceived ancestry, color, ethnic group identification, national origin, race, religion, sex, gender (including sexual harassment), sexual orientation, or physical and/or mental disability in any program or activity that receives or benefits from state financial assistance; or failure to comply with state or federal law when addressing complaints regarding adult basic education, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs and special education programs.

The District Uniform Complaint Procedure may be used in cases where individuals or a group have suffered discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, §§ 4610, 4630, 4650, Ed. Code, § 234 et seq., 48900(r).)

1. Any individual, public agency or organization has the right to file a written complaint alleging that the District has violated a federal or state law or regulation governing any program listed in items 1-15 above. (Cal. Code Regs., tit. 5, § 4630(b)(1))
2. Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)
3. Complaints must usually be filed with the (superintendent/designee of the District under the timelines established by District policy. (Cal. Code Regs., tit. 5, § 4630(b))
4. Discrimination complaints must be filed within six (6) months of the date the alleged discrimination occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination. Within that six (6) month period, complainant may file a written request with the district superintendent or designee for an extension of up to ninety (90) days following the six (6) month time period. Extensions will not be automatically granted, but may be granted for good cause. (Cal. Code Regs., tit. 5, § 4630(b))

UCP Procedure: Any individual, public agency or organization alleging a violation of state or federal statutes may file a complaint with the district. The written complaint is to be submitted to The Merced Union High School District Superintendent. Discrimination complaints must be filed within six months from the occurrence or when the complainant

first had knowledge of the facts of the alleged discrimination. Prior to the initiation of a formal compliance investigation, the compliance officer may informally discuss with the complainant the possibility of using mediation. If all parties agree to mediation, the District will make all necessary arrangements. If mediation is not able to resolve the matter(s), the compliance officer will proceed with the investigation of the complaint. Within 60 calendar days of receiving the complaint, the District shall prepare and send to the complainant a written report of the investigation and decision. This timeframe may be extended at any time upon written agreement from the complainant.

UCP Responsibilities: The District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination, harassment, intimidation, and bullying.

Written complaints may be made regarding:

- (1) Adult Education Programs-
- (2) Consolidated Categorical Aid Programs-
- (3) No Child Left Behind Programs, including improving academic achievement, compensatory education, limited English proficiency and Migrant Education-
- (4) Career technical and technical education and training programs- Education
- (5) Child Care & Development Programs-
- (6) Child Nutrition Programs-
- (7) Special Education Programs
- (8) "Williams Complaints"
- (9) Pupil Fees
- (10) Local Control Funding Formula (LCFF) and Local Control and Accountability Plan (LCAP)
- (11) Student Parent Lactation Accommodations
- (12) Course Assignments
- (13) Physical Education Instructional Minutes
- (14) Foster and Homeless Youth Services
- (15) Regional Occupational Centers and Programs

(Cal. Code Regs., tit. 5, §§ 4610(b), 4630, Ed. Code, §§ 222, 35186, 47606.5, 47607.3, 48853.5, 49013, 49069.5, 51210, 51223, 51225.1, 51225.2, 51228.1, 51228.2, 51228.3, 52060-52075, and 52334.7.)

Williams Settlement Complaints: Complaints, including anonymous complaints, may be made and addressed on a shortened time line for the following areas: (Ed. Code 35186)

- (1) Insufficient textbooks and instructional materials;
- (2) Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils; or
- (3) Teacher vacancy or miss-assignment.

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

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

Call the Assistant Superintendent of Human Resources, at (209) 325-2010, Merced Union High School District Office, 3430 "A" Street, Atwater, CA 95301.

Complaints (Special Education): Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Parents may submit, write a description of the manner in which parent believe special education programs for handicapped do not comply with state or federal law or regulations to: Director of Student Support Services, P.O. Box 2147, Merced, CA 95344 – (209) 325-2121.

Discrimination Complaints -Against employees or student against student: The District acknowledges and respects students, parents, community members and employee rights of privacy. Complaints will be investigated in a manner that protects the confidentiality of the parties involved and the facts. Appeal: The complainant has the right to appeal the district's decision to the California Department of Education, 1430 N Street: P.O. Box 944272, Sacramento, CA 94244-2720, within 15 days of the receipt of the written decision.

Other Complaints: All other types of complaints should first be reported to the Principal. If unsatisfied, the complaint may then be made to the Child Welfare, Attendance and Safety Administrator (385-6541).

Complaints made directly to the State Superintendent:

- (1) Complaints alleging that the District failed to comply with the complaint procedures described herein, including failure or refusal to cooperate with the investigation.

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

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

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

- (1) Appeals must be filed within fifteen (15) days of receiving the District decision.
- (2) Appeals must be in writing.
- (3) Appeals must specify the reason(s) for appealing the District decision, including whether the facts are incorrect and/or the law has been misapplied.

- (4) Appeals must include a copy of the original complaint and a copy of the District decision.
- (5) Pupil fee complaints appealed to the California Department of Education will receive a written appeal decision within 60 days of the department's receipt of the appeal.
- (6) If the school/District finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school/District must provide a remedy to all affected pupils, parents, and guardians. For pupil fee complaints, this includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
 - b. If a complaint is denied, in full or in part, by the Department of Education, the complainant may request reconsideration by the State Superintendent of Public Instruction. (Cal. Code Regs., tit. 5, § 4665)
 - 1. Reconsideration must be requested within thirty-five (35) days of receiving the Department of Education report.
 - 2. The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

Civil Law Remedies: In addition to the aforementioned procedure, or upon completion of that procedure, complainants may have civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (Ed. Code 262.3(b), Cal. Code Regs., tit. 5, 4622)

A copy of the district's policy and complaint procedures may be obtained free of charge, through the Superintendent's office.

Information obtained from Social Media:

A school district that considers a program to gather or maintain in its records any information obtained through social media of any enrolled student shall notify students and their parents or guardians about

the proposed program and provide an opportunity for public comment at a regularly scheduled public meeting of the Governing board of the school district. The notification shall include, but is not limited to, an explanation of the process by which a student or a student's parent or guardian may request the removal of information or make corrections to information gathered or maintained. (Ed,Code § 49073.6

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

- a. A parent or guardian has the right to inspect and review student records relating directly to their child during school hours or obtain a copy of such records within five (5) days of his/her request.
- b. Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records.
- c. A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

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

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

Within thirty (30) days, the Superintendent shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and

sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student. (Ed. Code 49070). If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is removed. Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

- d. A student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. Student Record Logs are located at each school and are open to inspection by parents or guardians. (Ed. Code 49064)
- e. School officers or employees having a legitimate educational interest may access student records without first obtaining parental consent. "School officers and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel) a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist) or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A "legitimate educational interest" is one held by a school officer or employee whose duties and responsibilities create a reasonable need for access. (Ed. Code 49063(d), 49076)
- f. Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody

can authorize the release of student records to others.

- g. Parents and guardians will be charged 25 cents per page for the reproduction of student records.
- h. Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. 1232(g))
- i. Parents may obtain a copy of the District's complete student records policy by contacting the Superintendent.

Family Education Rights Privacy Act: In addition, parents have certain rights regarding student information and records which are guaranteed under federal law. A handout notifying parents of these rights is attached hereto.

Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA), a federal law, affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. *These rights are:*

- (1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The *school official* will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- (2) The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

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

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

Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll. [OR: The School will make a reasonable attempt to notify the parent or eligible student of a records request by officials of another school district in which a student seeks or intends to enroll.]

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, DC 20202-4605

Release of Student Information: FERPA requires that the Merced Union High School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include the type of information from your child's education records in certain school and/or district publications. Examples include: (1) A playbill, showing your child's role in a drama production; (2) the annual yearbook; (3) honor roll or other recognition lists; (4) graduation programs and (5) sports activity programs which shows weight and height of team members.

The District may release "Directory Information" to colleges, universities, employers, military schools and the military (United States Army, Navy, Air Force, Marines). "Directory Information" means one

or more of the following items: pupil's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the pupil."

If parents do not wish this information to be provided to military recruiters, they must notify the District office of this fact in writing. The writing should be directed to the District official listed below at the following address: Lori Mollart, CWA Administrator, 3105 "G" Street, Merced, CA 95340.

Children in Homeless Situations: Directory information will not be released regarding a pupil identified as a homeless child or youth unless a parent, or pupil accorded parental rights, has provided written consent that directory information may be released. (Ed. Code, § 49073(c), 20 U.S.C. § 1232g, 42 U.S.C. § 11434a(2))

However, the District does not release non-directory information or records concerning a child to non-educational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. Parents should contact their child's assistant principal if they want the desired information withheld. [Ed Code 49060]

Asbestos Management Plan: An updated management plan for asbestos-containing material in school buildings is available at the District Office. [40 C.F.R. & 763.93]

Notice of Pesticides: Throughout the year our schools expect to use the following pesticides:

1. Malathion (Malathion)
2. Roundup (Glyphosate, Isopropylamine Salt)
3. Tempo 20WP (Cyfluthrin/Cyano)
4. Turflon Ester (Triclopyr, Butoxyethyl Ester)

Other pesticides may be used.

Parents/guardians of the Merced Union High School District can register with the District's designee, Mark Gottschall, to receive notification of individual pesticide applications by calling 325-2300. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application. Information on pesticides and pesticide use reduction can be found on the Internet at <http://www.cdpr.ca.gov>

Transportation

To All Parent/Guardians:

The Merced Union High School District is very proud to serve the needs of the Merced, Atwater and Livingston students. The goals of the Transportation Department are:

- To provide maximum safety for students between home and school and on school-sponsored trips.
- To promote desirable student behavior and respect for traffic safety.
- To provide assistance and transportation for students with special needs.
- To provide transportation for field/athletic trips.

The Merced Union High School District provides transportation for all eligible students. Transportation shall depend upon the student needs as follows:

Transportation will not be provided for pupils residing within the following distances from their neighborhood school or bus stop:

- Grade 9 – Grade 12 2.5 miles (some exceptions apply)

Students with special needs must be referred to the Special Services Department by the appropriate school personnel. Contact your child's school should your child need any special services.

“Pupils transported in a school bus shall be under the authority of, and responsible directly to the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation.” It shall be the responsibility of the parents of students, in cases of suspension of transportation privileges, to provide transportation to and from school during the period of suspension”. 5 CCR 14103.

INFORMATION ON SCHOOL BUS STOPS ARE MADE AVAILABLE AT THE BEGINNING OF THE SCHOOL YEAR AT EACH SCHOOL SITE OFFICE AND THROUGH THE DISTRICT'S WEB SITE.

Should you have any questions regarding transportation of your child, please contact the Transportation Department at 325-2350 Or visit their website on the MUHSD web site.

<http://www.muhsd.org/>

RED LIGHT CROSSING PROCEDURES

V.C. 22112

High School students, grades 9-12 are not required by State law to be escorted by the bus driver across the street or highway. It is extremely important for the safety of your child that they follow all of the rules below.

TEACH YOUR CHILD THE RULES FOR RIDING THE BUS SAFELY:

1. Students are to arrive at the bus stop at least ten minutes before the bus's arrival time.
2. Students are to wait on the side of the street in which the bus will stop.
3. **Student I.D. cards are required at all the time upon entering the bus.**
4. When the bus arrives, please do not approach the bus until the doors are opened.
5. Whenever getting off the bus, move away from the bus' danger zone (12 feet).
6. Do not disturb the area at your bus stop: It may be someone else's property.
7. When the bus is stopped at a Railroad Crossing, you must stop talking.
8. You may only get off at your own bus stop. If it is necessary to get off at another bus stop, the parent or guardian must write a note and submit to the Office. (Once student leaves campus, they will not be allowed to ride bus).
9. Please do not leave trash on the bus.
10. Obey the Driver the 1st time.
11. Remain seated at all times.
12. Use classroom voices at all times.
13. Keep all body parts inside the bus.
14. No rudeness, teasing, or obscene gestures.
15. Bus Driver may assign seats.
No eating, drinking or chewing gum on the bus.
16. No eating, drinking or chewing gum on the bus.

Morning Pick Up

1. Students are to be waiting on the side of the street the bus will stop on and are not to move towards the bus until the bus comes to a complete stop, the Red Light Signal System is activated and the entrance doors open, before they may walk towards and enter the bus.
2. Upon entering the bus, students shall be seated as soon as possible and allow for others to be seated next to them. Remain seated until the bus arrives at the final destination.
3. In the event you are late to a bus stop, you are to wait until the driver activates the Red Light Signal System and all cross traffic has stopped, before proceeding across the street.
4. In the event you are late to a bus stop, you are to wait until the driver activates the Red Light Signal System and all cross traffic has stopped, before proceeding across the street.

Afternoon Drop Off

1. While waiting at the school for the bus to arrive, students are to form one or two lines and enter the bus single file. No pushing or shoving.
2. Upon entering the bus, students are to quickly find a seat and allow for others to be seated next to them.
3. Students are to remain seated until they reach their designated bus stop.
4. **As students are exiting the bus, they should look to the right to verify no one is passing on the right side of the bus. If crossing, they are to walk approximately 12 feet to the front of the bus and verify that the Red Lights are flashing. Students are to walk towards the street, stop at the left edge of the bus and look to see that traffic has stopped. Students are to observe the bus driver and may only cross the street when given approval by the bus driver. Students may then proceed to walk across the street.**
5. Students are **NEVER** to cross behind the bus.
6. **STUDENTS ARE NOT TO RETURN BACK TO BUS TO RETRIEVE ITEMS LEFT ON THE BUS, THEY MUST WAIT UNTIL THE NEXT DAY TO RETRIEVE ITEMS.**

NUTRITIONAL INFORMATION

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

Lunch is available every school day at all district schools. The high school lunch price is \$3.00, breakfast is \$2.00 and ala carte options are also available. Parents may apply for free meals. Free lunches are available at all schools for students who qualify based on family income. Free breakfasts are also available at all schools.

A letter and application outlining the free meal program is distributed to all students each year as required by the federal government. A new application must be completed each year. [Ed Code Sec 49520] For more information regarding this program call 325-2210

