



MUHSD

Merced Union High School District

Parent Advisory of Rights

2021-2022

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**

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

**--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	325-2110
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 High	384-5545
Golden Valley High	325-1847
Livingston High	398-3247
Merced High	325-1047
Sequoia High	325-1647
Yosemite High	325-1647

Board of Trustees

Erin Hamm
Richard Lopez
Tiffany Pickle
Amalee Jayasinghe
Julio Valadez

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 information. It is recommended that all parents read their child's school handbook. (Ed Code 35291)

Student/Parent Procedures for Reporting Concerns

Students or parents who need to report a problem with a student, staff member or instructional materials or training or who have information regarding a potential problem may ask to see a counselor, associate principal or school resource officer. If the problem is urgent and the student feels threatened, harassed or intimidated students are encouraged to reach for assistance from any staff member. The following district staff members are also available to address complaints. An investigation of the problem will be conducted and all efforts will be made to achieve a resolution as quickly as possible.

To file a report about sexual harassment, bullying, Title IX, please contact:

Mandy Ballenger, Director of Human Resources

3430 "A" Street, Atwater CA. 95301

Phone: 209-325-2012

E-mail: mballenger@muhsd.org

For complaints that involve a student with disabilities or a 504 plan, please contact:

Cristi Johnson, Director of Student Services

3105 "G" Street, Merced CA. 95340

Phone: 209-325-2010

E-mail: cjohnson@muhsd.org

For general complaints about school personnel, instructional materials, or program compliance, please contact:

Ralph Calderon, Deputy Superintendent

3430 "A" Street, Atwater CA. 95301

Phone: 209-325-2010

E-mail: rcalderon@muhsd.org

To file complaints regarding Title II, Teacher and Administrator Preparation, please contact:

Scott Weimer, Ed.D, Assistant Superintendent

3430 "A" Street, Atwater CA. 95301

Phone: 209-325-2031

E-mail: sweimer@muhsd.org

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 school's policy, s/he may be prohibited from entering district property.

STUDENT BEHAVIOR AND CONDUCT CONSEQUENCES

General School Rules

The Governing Board desires to provide a safe, supportive, and positive school environment conducive to student learning and prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to disengage from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed (Education Code 48900.5)

Definitions

- A. Home suspension from school means removal of a student from ongoing instruction for adjustment purposes. **Any student assigned a Home Suspension is ineligible for any extracurricular activity for three weeks. A second Home Suspension in a 12 month period invokes a six week ineligibility.**
- B. Expulsion means removal of a student from the immediate supervision and control, or the general supervision of school personnel. (Education Code 48925)
- C. Day means a calendar day unless otherwise specifically provided. (Education Code 48925)
- D. School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)
- E. Student includes a student's parent/guardian or legal counsel. (Education Code 48925)
- F. Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. The names of such persons shall be on file in the principal's office. (Education Code 48911)
- G. School property includes, but is not limited to; books, computers, equipment, lockers, facilities, electronic files and databases. (Education Code 48900(s))
- H. Other means of correction may include, but not be limited to; Warning, Counseling, Benching, Detention, Class Suspension,
- I. Friday/Saturday School, Work Detail, Community Service, Conference, Tutorial, or other intervention-related teams, Participation in a Restorative Justice Programs through Site Intervention Centers, Understanding Drugs and Alcohol (UDA), Creating Opportunities for Personal Empowerment (COPE) or alternative educational programs.
- J. Serious Bodily Injury means a serious impairment of physical condition including, but not limited to; loss of consciousness, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing, and serious disfigurement.
- J. Electronic Act means the transmission of a communication, including but not limited to, a message, text, sound, or image by means of an electronic device, including but not limited to a telephone, wireless (cell) phone, or other wireless communication device, computer.

Students and staff have a right to learn and teach within a positive learning and working environment. Therefore the Board believes in the importance of establishing discipline and maintaining order to provide safe and civil schools. These rules allow each school the discretion to impose minimum consequences to correct an undesirable behavior. Depending on the seriousness of the first or succeeding offenses, a student

may be recommended for (1) an alternative to home suspension, (2) home suspension, (3) placement into another school or an alternative educational program, or (4) expulsion from all schools in the district.

A student may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to any of the following: (Education Code 48900(s))

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

During the suspension, the student is expected to remain home under adult supervision and may not attend school activities or be on or around any school campus. Students shall be allowed to make up assignments and tests missed during the suspension by arrangement of the teacher, as provided in the Education Code. Suspended or expelled students shall be denied the privilege of participation in all extracurricular and co-curricular activities during the period of suspension or expulsion.

Site administrators have primary responsibility for enforcement, however, it shall be the duty of each employee of the school to enforce the rules and procedures for school discipline.

E-Discipline (Electronic Related)

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 on 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 reasonably foreseeable under the circumstances.

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.

Student use of any electronic listening or recording device in any classroom or throughout the school grounds during the school day without prior consent of a teacher and/or administrator of the school given to promote an educational purpose disrupts and impairs the teaching process and discipline in school, and such use is prohibited. (Education Code 51512)

Electronic communication devices may be confiscated by school personnel, and such items may be searched by administration given reasonable suspicion of a rule violation. The school assumes no responsibility for theft or damage to such items.

Obligations: It is the student's responsibility to protect and take care of school property or the property belonging to others and report unsafe conditions or damage to school officials. All textbooks and electronic devices are issued through the library. Students will be required to show their student body card at the time of issuance. Students are responsible for the proper care of textbooks and electronic devices issued to them. Book covers and device covers are required. Students are financially responsible for books and devices that are lost, stolen, or damaged.

It is recommended that book bags not be left with friends, on the ground near classrooms, or in a classroom unattended. It is also advised that students not lend books or their electronic devices to anyone, since the student will be held accountable for these materials.

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion (EC 48900.1,48980)(cf. 5144 - Discipline)

<i>Dress Policy</i>

Philosophy

The Board of Education believes that:

- All students should be able to dress comfortably for school without fear of or actual unnecessary discipline or body shaming.
- An individual student's clothing/self-expression should not be regulated based upon another student or staff member's personal perspective or discomfort.
- Staff can focus on their jobs without the additional and often uncomfortable burden of dress code enforcement.
- Students should not face unnecessary barriers to school attendance.
- Reasons for conflict and inconsistent discipline should be minimized whenever possible.
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Rationale for Dress Code

There are many purposes for policy governing student dress. The most important purposes include:

- Maintaining a safe learning environment in classes where protective or supportive clothing is needed.
- Allowing students to wear clothing of their choice that is comfortable.
- Allowing students to wear clothing that expresses their self-identified gender.
- Allowing students to wear religious attire without fear of discipline or discrimination.
- Preventing students from wearing clothing with offensive images or language, including profanity, hate speech, and pornography.
- Preventing students from wearing clothing with offensive images or language depicting or advocating violence or the use of alcohol or drugs.
- Ensuring that all students are treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style.

MUHSD Dress Code

1. Basic Principles:

- All students are encouraged to dress in a manner that is comfortable and conducive to an active school day.
- Students should be able to wear clothing without fear of or actual unnecessary discipline or body shaming.
- The student dress code should serve to support all students to develop a body-positive self-image.
- Clothes must be worn in a way such that genitals, buttocks, breasts, and nipples are fully covered with opaque (not able to be seen through) fabric.

2. Students Must Wear:

- Top (with fabric in the front, back, and on the sides under the arms)
- Bottom
- Shoes
- Clothing that covers specific body parts (genitals, buttocks, breasts, and areolae/nipples) with opaque material

*Courses that include attire as part of the curriculum (for example, professionalism, public speaking, and job readiness) may include assignment-specific dress, but it should not focus on covering students' bodies or promoting culturally-specific attire. Activity specific shoe

requirements are permitted (Examples include but are not limited to physical education and shop class).

3. Students May Choose to Wear:

- Hats, including religious headwear (Hats must allow the face to be visible to staff and not interfere with the line of sight of any student). Staff may require students to remove hats, wave caps, hair nets, etc... when they are inside the classroom.
- Hoodie sweatshirts (over the head is allowed, but the face and ears must be visible to school staff). Staff may require students to remove hoodies when they are inside the classroom.
- Fitted pants, including opaque leggings, yoga pants, and “skinny jeans”
- Sweatpants, shorts, skirts, dresses, pants
- Shirts where the bottom hem of the top skims the waistband of the bottom when the student is in a normal standing position
- Pajamas
- Ripped jeans, as long as underwear or buttocks are not exposed
- Tank tops, including spaghetti straps, halter tops, and strapless tops
- Athletic attire
- Clothing with commercial or athletic logos provided they do not violate the guidelines in the ‘CANNOT Wear’ section below
- Sun-protective clothing, including but not limited to hats, for outdoor use during the school day (Education Code 35183.5)

4. Students CANNOT wear:

- Bare midriff
- Violent language or images
- Images or language depicting drugs, vaping, paraphernalia, or alcohol (or any illegal item or activity)
- Bullet proof vest, body armour, tactical gear, or facsimile.
- Hate speech, profanity, pornography
- When there is evidence of a gang presence that disrupts or threatens to disrupt the school’s activities, students may be prohibited from wearing certain colors of clothing. These gang incidents should be documented.
- Images and/or language that create a hostile or intimidating environment based on any protected class or consistently marginalized group
- Visible underwear or bathing suits of similar design - visible waistbands or straps on undergarments worn under other clothing are not a violation
- Helmets, hoods, or any other headgear that obscures the face (except as a religious observance)
- Accessories that could be considered dangerous or could be used as a weapon.

*****Administrators shall have the final discretion to determine the appropriateness of attire*****

<i>Grounds for Suspension and Expulsion</i>

- A. Causes for Mandatory Recommendation for Expulsion (Education Code 48915)** Except as provided in subdivision (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

Expulsion Offenses (1-5) - Mandatory Suspension/Mandatory Expulsions (The Big Five, Most Serious Offenses). Principal shall immediately suspend, pursuant to Education Code 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds (Education Code 48915(c)). The Board shall order a pupil expelled upon finding that the pupil committed an act listed in Education Code 48915(c) and shall refer the pupil to an Alternative program of study (Education Code 48915(d)):

- A1. **Possessing, selling, or otherwise furnishing a firearm.** (Education Code 48915 (c)(1), PC 417.8, 626.9, 12001, 12020))
- A2. **Brandishing a knife at another person.** (Education Code 48915 (c)(2))
- A3. **Unlawfully selling a controlled substance listed in Chapter 2** (commencing with Section 11053) of Division 10 of the Health and Safety Code. (Education Code 48915(c)(3))
- A4. **Committing or attempting to commit a sexual assault** as defined in subdivision in Education Code 48900(n) **or committing a sexual battery** as defined in Education Code 48900(n). (Education Code 448915(c)(4))
- A5. **Possession of an explosive.** (Education Code 48915(c)(5))

NOTE: The known possession of a firearm, loaded or unloaded, brandishing a knife, unlawfully selling a controlled substance, committing a sexual assault or battery, or possession of an explosive at school or a related activity, will result in an immediate suspension and recommendation for expulsion. If the Board upholds an expulsion recommendation after the appropriate expulsion hearing, the student shall be **expelled for one calendar year** from the date of the offense unless the Board sets an earlier date for readmission, which will be determined on a case by case basis. Referral to an alternative program will be required. (Education Code 48916(a))

Expulsion Offenses (6-10) – Mandatory Recommendation/Permissive Expulsions (Very Serious Offenses). Allowance for a Review of Circumstances. For the following offenses, the Principal must recommend expulsion of the pupil unless the Principal finds that expulsion is inappropriate under the circumstances. **While the recommendation is mandatory, expulsion is not.** A non-expulsion recommendation must be made in writing to the Board, if the decision is not to recommend expulsion. If the decision is to recommend expulsion, the Board must find that: a) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct; and/or b) Due to the nature of the act, the presence of the pupil causes a continuing danger to the safety of the pupil or others. A student may be subject to suspension or expulsion when it is determined that he/she committed one of the following acts:

- A6. **Causing serious physical injury to another person except in self defense.** (Education Code 48915 (a) (1), Penal Code 243)

The principal or designee shall, prior to the suspension or expulsion of any pupil, notify the police of any assault with force likely to produce great bodily injury, with or without a weapon. (Education Code 48902 (a), Penal Code 245 (Assault with a deadly weapon))

- A7. **Possession of any knife, or other dangerous object of no reasonable use to the pupil.** (Education Code 48915 (a) (2))

Dangerous Object - An instrument capable of causing serious physical injury (includes look-alike weapon or imitation firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m)) This also includes but is not limited to possession, use, and/or sale of destructive/explosive device (bomb), M-80's, cherry bombs, fire-crackers, fireworks and live ammunition.

- A8. **Unlawful possession of any controlled substance** listed in Chapter 2, (commencing with 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana other than concentrated cannabis. (Education Code 48915(a)(3)) First offense for marijuana “spice” or “salvia” requires consequences outlined in B.1.

- A9. **Committed robbery or extortion.** (Education Code 48915(a)(4))

Robbery - Taking of property from a person's possession against his/her will by means of force or fear.

Extortion – Obtaining property from another person through use of force or fear.

A10. **Assault or battery upon any school employee**, as defined in Penal Code 240 and 242. (Education Code 48915 (a) (5))

NOTE: Whenever school personnel are threatened by any pupil, it is mandatory for the employee and the employee's supervisor, if the supervisor has knowledge of the incident, to promptly report the incident to law enforcement authorities. (Education Code 44014, Penal Code 71)

home suspension on the date of graduation will not participate in the graduation ceremony. (BP 6145)

B. Causes for Possible Suspension/Expulsion on the First Offense. (Education Code 48900)

NOTE: Depending on the seriousness of the act, a suspension and/or expulsion may be immediately recommended on the 1st offense or any offense thereafter at the discretion of Principal or Principal designee. Failure to complete an intervention will result in suspension and/or additional behavioral consequences.

Suspension/Expulsion Offenses B1 - B19 are classified as Permissive Recommendations for Expulsions (Education Code 48915(e)) and require a complete investigation of circumstances surrounding the behavioral infraction triggering the recommendation for expulsion. Upon a recommendation by the Principal, the Board may order a pupil expelled upon a finding that the pupil violated Education Code 48900(f) through (r), or Education Code 48900.2 (sexual harassment), Education Code 48900.3 (hate violence), Education Code 48900.4 (intimidation), or Education Code 48900.7 (terroristic threats). With regard to these violations, the additional finding that other means of correction are not feasible or have repeatedly failed to bring about proper conduct and/or that this pupil's continued presence creates a danger to the physical safety of the pupil or others must be made.

B1. **Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance** as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. Sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. Unlawfully offered, arranged to sell, or sold the prescription drug Soma. (Education Code 48900(c), 48900(d), 48900(p))

1st Offense: Student may attend Understanding Drugs and Alcohol (U.D.A.) or other means of correction in lieu of suspension/expulsion. Students are not eligible for extracurricular activities while attending U.D.A. If student is suspended instead of participating in the intervention, student will have a loss of eligibility for three weeks. Possible notification of appropriate law enforcement agency. Student may attend and successfully complete district-approved substance abuse program other than the UDA.

2nd Offense: Possible recommendation for expulsion, or other means of correction assigned may include student attending Understanding Drugs and Alcohol (U.D.A.). Students are not eligible for extracurricular activities while attending U.D.A. If it is a second offense within a 12-month time period there is an automatic loss of eligibility of six-weeks. Notification of appropriate law enforcement agency if applicable. NOTE: The second offense occurring during any subsequent school year may result in a recommendation for expulsion.

3rd Offense: Other means of correction may include Tier 2 of U.D.A. Student is ineligible for extracurricular activities for six weeks.

4th Offense: Immediate suspension, possible recommendation for expulsion.

B2. **Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia**, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

1st Offense: Other means of correction assigned may include one day IC and Suite 360 Curriculum. Notification of appropriate law enforcement agency if applicable. Community service may also be required.

2nd Offense: Other means of correction assigned may include two days in IC. If it is a second offense within a 12-month time period there is an automatic loss of eligibility of six-weeks. Notification of appropriate law enforcement agency if applicable.

3rd Offense: Other means of correction may include three days in IC, parent conference, and behavior

contract.

4th Offense: Suspension and parent conference.

5th Offense: Suspension, possible recommendation for expulsion.

NOTE: The second offense occurring during any subsequent school year may result in a recommendation for expulsion.

B3. Stole or attempted to steal school property or private property. Knowingly received stolen school property or private property. (Education Code 48900 (g), 48900 (l), Penal Code 487, 488) Being in possession of another person's property, including computer passwords or files, without permission, is prima facie evidence of theft. Restitution may be a necessary requisite for a satisfactory condition of re-admittance. Any item valued at \$950 or above is considered Grand Theft and will be reported to law enforcement.

1st Offense: One to three-day referral to IC and completion of Suite 360 Curriculum. Other means of correction assigned may include restitution and parent conference. Notification of appropriate law enforcement agency if appropriate

2nd Offense: Parent/student conference, possible suspension and parent conference. Other means of correction may be assigned. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six-weeks. May refer the student to an alternative educational program.

3rd Offense: Parent/student conference, immediate suspension.

4th Offense: Immediate suspension possible recommendation for expulsion.

B4. Caused or attempted to cause damage to school property or private property - cutting, defacing, tagging, changing information on district servers, or otherwise injuring any school district property, or the malicious injury or destruction of any other person's real or personal property. (Education Code 48900 (f))

1st Offense: One to three days IC and completion of Suite 360 Curriculum.. Notification of appropriate law enforcement agency at the discretion of the administration.

2nd Offense: IC remainder of day plus one day suspension. Other means of correction may be assigned. If this is a second offense within a 12 month time period, the student automatically loses eligibility for six-weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

3rd Offense: Three-day suspension.

4th Offense: Suspension and possible recommendation for expulsion.

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 the person(s) causing damage. (EC 48904, PC 594, Civil Code 1714.1)

B5. Fire-setting, attempted fire-setting or bomb threat - including the activation of false alarms or tampering with emergency equipment. (Penal Code 148.1, 148.4)

1st Offense: Possible suspension. Other means of correction assigned may include parents and student participating in Threat Assessment if administration deems necessary, completion of Suite 360 Curriculum in IC If student is suspended, there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency is at the discretion of the administration. May recommend expulsion.

2nd Offense: Three to five-day suspension. May recommend expulsion. Notification of appropriate law enforcement agency is at the discretion of the administration.

3rd Offense: Suspension and recommendation for expulsion.

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 the person(s) causing damage. (Education Code 48904, Penal Code 594, Civil Code 1714.1)

B6. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

“Terrorist threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury, or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out.

1st Offense: Possible suspension. Other means of correction may include parents and students participating in Threat Assessment if administration deems necessary, completion of Suite 360 Curriculum in IC. If student is suspended, there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency is at the discretion of the administration. May recommend expulsion.

2nd Offense: Three to five-day suspension. May recommend expulsion.

3rd Offense: Suspension and recommendation for expulsion.

NOTE: Threatening school personnel requires mandatory notification of law enforcement authorities. (Education Code 44014, Penal Code 71)

B7. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900 (a), Penal Code 415, 415.5)

1st Offense: Possible suspension. Other means of correction may include parent(s) and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, student attending and successfully completing Suite 360 Curriculum in IC. If student is suspended, student will have loss of eligibility for three-weeks. Notification of appropriate law enforcement agency if appropriate.

2nd Offense: Parent/student conference, possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Additional means of correction may be assigned, such as tier 2 of C.O.P.E.. Students are not eligible for extracurricular activities while attending C.O.P.E. If this is the second offense within a 12-month time period, student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program and/or recommend for expulsion.

3rd Offense: Parent/student conference, immediate suspension, and may recommend expulsion. Notification of appropriate law enforcement agency.

B8. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in EC 233 (e). (EC 48900.3) PC 422.6 defines a hate crime as the use of force or threat of force that injures, intimidates, interferes with, oppresses, or threatens a person in the enjoyment of any right because of the person’s race or ethnicity, religion, national origin, disability, gender, or sexual orientation or perception thereof. This includes defacing, damaging, or destroying a person’s personal property.

1st Offense: Parent/student conference, possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, student attending and successfully completing social skills training/anger management by attending the District’s Creating Opportunities for Personal Empowerment (C.O.P.E) program. Students are not eligible for extracurricular activities while attending C.O.P.E. If a student is suspended, there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency at the discretion of administration.

2nd Offense: Parent/student conference, possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction may be assigned, such as tier 2 of C.O.P.E. in lieu of suspension. Students are not eligible for extracurricular activities while attending C.O.P.E. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

3rd Offense: Parent/student conference, immediate suspension, and may recommend expulsion. Notification of appropriate law enforcement agency at the discretion of the administration.

B9. Aiding and Abetting the infliction or attempted infliction of physical injury to another person, as defined in Penal Code 31. (Education Code 48900 (s), 48915 (b))

1st Offense: Parent/student conference, possible suspension. Parent and student to participate in Threat

Assessment if administration deems necessary. Other means of correction assigned may include, student attending and successfully completing social skills training/anger management by attending the District's Creating Opportunities for Personal Empowerment (C.O.P.E) program. If a student is suspended there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

2nd Offense: Parent/student conference, possible suspension. Parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, participating in tier 2 of C.O.P.E.. Students are not eligible for extracurricular activities while attending C.O.P.E. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

3rd Offense: Parent/student conference, immediate suspension, and may recommend expulsion. Notification of appropriate law enforcement agency at the discretion of the administration.

Note: A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in PC 31, may be suspended, but not expelled on first offense. However, such a student may be suspended or expelled pursuant to EC 48900 (a) when s/he has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury.

B10. **Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.** (Education Code 48900 (o))

1st Offense: Possible referral to IC and completion of Suite 360 Curriculum, possible suspension, parent, and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, student attending and successfully completing social skills training/anger management by attending the District's Creating Opportunities for Personal Empowerment (C.O.P.E) program. Students are not eligible for extracurricular activities while attending C.O.P.E. If a student is suspended there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency at the discretion of administration.

2nd Offense: Parent/student conference, possible suspension, and recommendation for expulsion, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction may be assigned, such as tier 2 of C.O.P.E.. Students are not eligible for extracurricular activities while attending C.O.P.E. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency at the discretion of the administration.

B11. **Intentionally engaged in harassment, agitation, threats, or intimidation against district personnel or students** that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900 (a), 48900.4, Penal Code 415, 415.5)

1st Offense: Parent/student conference, possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, student attending and successfully completing social skills training/anger management by attending the District's Creating Opportunities for Personal Empowerment (C.O.P.E) program. If a student is suspended there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency at the discretion of administration.

2nd Offense: Parent/student conference, and possible suspension, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction may be assigned such as tier 2 of C.O.P.E. in lieu of suspension. Students are not eligible for extracurricular activities while attending C.O.P.E. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program.

3rd Offense: Parent/student conference, immediate suspension, parent and student to participate in Threat Assessment if administration deems necessary. Possible recommendation for expulsion. Notification of

appropriate law enforcement agency at the discretion of the administration.

NOTE: Threatening or intimidating school personnel requires mandatory notification of law enforcement agencies. (Education Code 44014, Penal Code 71)

B12. **Committed, or attempted to commit, hazing, sexual harassment, or any act that injures, degrades, or disgraces any other person at school.** (Education Code 32050-32052, 48900.2, 48905, 48900 (q), 212.5, PC 245.6)

1st Offense: Parent/student conference, referral to IC, and completion of Suite 360 Curriculum, possible suspension. Other means of correction may be assigned based on the severity of the infraction, such as student attending and completing social skills training/anger management by attending the District's Creating Opportunities for Personal Empowerment (C.O.P.E) program. Students are not eligible for extracurricular activities while attending C.O.P.E. If a student is suspended there is an automatic loss of eligibility for three-weeks. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program or recommend expulsion. Possible removal from campus or isolation of students.

2nd Offense: Suspension. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Notification of appropriate law enforcement agency. May refer the student to an alternative educational program or recommend expulsion.

3rd Offense: Suspension and recommendation for expulsion.

B13. **Upbraiding, insulting, or abusing teachers or other school personnel.** (EC 48900 (k))

1st Offense: Referral - 2 periods IC (from referring teacher's class). Parent contact. Mediation between teacher and student should occur.

2nd Offense: Parent/student conference. Two-day referral to C.O.P.E. Mediation between teacher and student should occur. Students are not eligible for extracurricular activities while attending C.O.P.E. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Removal from class is possible at the discretion of the administration

3rd Offense: Parent/student conference, immediate suspension. Completion of tier 2 of C.O.P.E and/or Suite 360 Curriculum. May refer to an alternative education program or recommend expulsion if all interventions have failed.

4th Offense: Suspension and recommendation for expulsion.

B14. **Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions** (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.

1st Offense: Parent/student conference, immediate one to three-day referral to IC, suspension possible based on severity, parent and student to participate in Threat Assessment if administration deems necessary. Other means of correction assigned may include, completing Suite 360 Curriculum attending and successfully completing social skills training/anger management by attending the District's Creating Opportunities for Personal Empowerment (C.O.P.E) program. Students are not eligible for extracurricular activities while attending C.O.P.E. If a student is suspended; there is an automatic loss of eligibility for three weeks. Removal from class is possible at the discretion of the administration. Failure to remove social-media may result in additional disciplinary consequences. Acts of cyberbullying may result in revocation of student's Responsible Use Policy (RUP) for a period of time determined by administration.

2nd Offense: Parent/student conference, suspension, parent and student to participate in Threat Assessment if administration deems necessary. If this is the second offense within a 12-month time period, the student automatically loses eligibility for six weeks. Removal from class is possible at the discretion of the administration. Failure to remove social-media may result in additional disciplinary consequences. Acts of cyberbullying may result in revocation of student's Responsible Use Policy (RUP) for a period of time determined by administration. Notification of appropriate law enforcement agency at the discretion of the administration.

3rd Offense: Parent/student conference, immediate suspension, parent and student to participate in Threat Assessment if administration deems necessary. Recommendation for expulsion. Notification of appropriate law enforcement agency.

NOTE: Bullying means one or more acts by a student or group of students that constitute: Threats to cause physical injury; Disruption of School Activity; Sexual Harassment; Hate Violence; Harassing, threatening or intimidating a pupil witness in a disciplinary proceeding; Harassment, threats or intimidation of students or staff; Cyberbullying or exclusionary acts of bullying.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to:

- a. A message, text, sound, video, or image
- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

B15. Any act of defiance or disobedience

Either in language or in action against school personnel or refusing to comply with the reasonable request or orders of school personnel. (Education Code 48900 (k))

1st Offense: Mediation between student and school personnel should occur. Other methods of correction may be assigned at the discretion of the administration.

2nd Offense: Referral to IC and completion of Suite 360 Curriculum. Mediation between student and school personnel should occur. Parent contact.

3rd Offense: Referral to IC and completion of Suite 360 Curriculum, parent conference.

4th Offense: One-day Suspension, behavior contract, referral to counseling, parent conference.

5th Offense: Two-day suspension, parent conference.

6th Offense: Refer student to SARB Hearing for Behavior.

7th Offense: Referral to alternative education.

Note: Continued acts of defiance or disobedience may include, but not limited to, referral to the MUHSD anger management program (C.O.P.E.) and/or clinician, behavioral contract, SST or possible class change at the discretion of the administration.

B16. Failing to identify oneself or giving false information to school personnel. (Education Code 48900 (k))

1st Offense: Other means of correction may be assigned at the discretion of the administration

2nd Offense: Other means of correction may be assigned at the discretion of the administration.

B17. Willful disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the, including district servers, websites, databases, or other information systems. (Education Code 48900 (k)(1)) performance of their duties.

1st Offense: Student conference. Other means of correction may be assigned at the discretion of the administration. Notification of appropriate law enforcement agency at the discretion of the administration.

2nd Offense: Parent and student conference. Other means of correction may be assigned at the discretion of the administration. Notification of appropriate law enforcement agency at the discretion of the administration.

NOTE: Restitution for damages may be assessed to student's obligations

B18. Possessed or used tobacco or any products containing or related to tobacco or nicotine products, including but not limited to cigars, cigarettes, electronic cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (Education Code 48900 (h), 48900 (k), 48901)

1st Offense: Warning and parent contact.

2nd Offense: Parent contact and referral to IC and completion of Suite 360 Curriculum.

3rd Offense: Parent/student conference, one-day referral to IC and completion of Suite 360 Curriculum.

4th Offense: One-day suspension.

B19. Forgery, falsifying, or altering school correspondence, passes, or absence vouchers, including any

records on district servers, websites, databases, or other information systems contained on the school network. (Education Code 48900 (k))

1st Offense: Parent/student conference. Other means of correction may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Other means of correction may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Other means of correction may be assigned at the discretion of the administration. May refer the student to an alternative educational program.

C. Causes for Less Than Suspension on the First Offense. (1-12) (Education Code 48900)

Alternative consequences may include, but not be limited to; Warning, Counseling, Benching, Detention, Class Suspension, Intervention Center, Day Reporting Center, Anger Management/Social Skills Program C.O.P.E., Saturday School, Work Detail, Community Service, Intervention Groups, or Alternative Educational Programs. (Education Code 48900.1, 48900.5, 48900.6, 48910, 48911)

C1. **Committed an obscene act or engaged in habitual profanity or vulgarity** either verbally or in writing including all electronic transmissions. (Education Code 48900 (i), 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

C2. **Leaving the campus without authorization.** (Education Code 48900 (k))

1st Offense: Student conference and parent notified. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

C3. **Tampering with property** of the school district or belongings of any other person. (Education Code 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

C4. **Being in a parking lot or out of bounds** without proper authorization. (Education Code 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.

C5. **Gambling and wagering** or habitually being present where such acts are taking place. (Education Code 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.

- C6. **Interfering with the peaceful conduct of the campus or classroom** causing class or campus disruption of a minor but annoying nature. (Education Code 48900 (k))
1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.
2nd Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.
3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.
- C7. **Loitering on campus without any apparent lawful purpose.** (Education Code 48900 (k), Penal Code 647b and 653b)
1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration.
2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.
3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.
- C8. **Violations of district dress code** - mandatory sections. (Education Code 48900 (k) The wearing and/or carrying of symbols, paraphernalia which symbolizes gang membership or advocating racial, ethnic, sexual, religious group prejudice or tends to detract from the educational process is not permitted.
1st Offense: Student conference, parent notified. Alternative consequences may be assigned at the discretion of the administration. Student may be sent home to dress properly, if necessary.
2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.
3rd Offense: Parent/student conference. Alternative consequences/interventions may be assigned at the discretion of the administration.
- C9. **Misconduct on a school bus.** (Education Code 48900 (k) and Title 5 Admin Code 14103)
1st Offense: Student conference. Alternative consequences may be assigned. If incident is serious, student may be suspended from bus and/or school.
2nd Offense: Parent/student conference. Immediate one to three-day suspension. Alternatives to suspension may be used.
3rd Offense: Parent/student conference. Immediate three to five-day suspension. Additional alternatives to suspension may be assigned at the discretion of administration. Possible loss of transportation privileges not to exceed one semester.
- NOTE: 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.
- C10. **Possession of unauthorized articles/items on campus,** i.e. laser pointers, dice, computer/server hacking tools, implements of graffiti including but not limited to marking pens, spray paint, paint tips, etc., and water toys including but not limited to squirt guns and water balloons, and any other items of no educational purpose or value at school. Electronic signaling devices used by the pupil which are authorized by a licensed physician shall be permitted. (Education Code 48900 (k), 48901.5)
1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to one week.
2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to two weeks. Parent must pick up confiscated item.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to three weeks and returned to the parent.

C11. **Unauthorized, improper or unsafe use of electronic communication devices** within the jurisdiction of the District: (Education 48900 (k))

1st Offense: Student conference. Alternative consequences may be assigned at the discretion of the administration. The device may be confiscated for up to one week.

2nd Offense: Parent/student conference with A.P. Alternative consequences may be assigned at the discretion of the administration. Device may be confiscated for up to two weeks.

3rd Offense: Parent/student conference with A.P. Alternative consequences may be assigned at the discretion of the administration. The device may be confiscated for up to three weeks.

C12. **Improper or unsafe use of:** bicycles, mopeds, motorcycles, roller skates, in-line skates, scooters, or skateboards on campus. (Education Code 48900 (k))

1st Offense: Student conference, parent notified. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to one week.

2nd Offense: Parent/student conference. Immediate one to three-day suspension. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to two weeks.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration. The object may be confiscated for up to three weeks.

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.

C13. **Cheating or plagiarizing** on assignments or tests, including the use of electronic devices (Education Code 48900(k))

1st Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

2nd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration.

3rd Offense: Parent/student conference. Alternative consequences may be assigned at the discretion of the administration. May result in removal from class with a withdrawal F grade.

School Safety "Tip" Lines	
You can leave an anonymous tip regarding any safety concern at:	
Atwater High School:	357-6072
Buhach Colony High School:	325-1447
El Capitan High School:	325-5545
Golden Valley High School:	325-1847
Independence High School:	325-1694
Livingston High School:	398-3247
Merced High School:	325-1047
Sequoia High School:	325-1647
Yosemite High School:	325-1647

District Phone Numbers	
Superintendent:	325-2020
Business Office:	325-2030
Child Welfare & Attendance Office:	325-2111
Educational Services:	325-2050
Human Resources:	325-2010
Maintenance:	325-2300
Nutritional Services:	325-2210
Transportation:	325-2350

RESPECT FOR SELF & OTHERS IN SCHOOL

In recognizing that MUHSD is a multi-racial, multi-ethnic, multilingual 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.

Military Families, Children in Homeless/Foster Care Situations and Former Juvenile Court School Students:

Each local district shall designate a staff person as a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. 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 who is in foster care, a homeless child or youth, a child of a military family or a former court school student and who transfers between schools under certain circumstances. (Ed. Code, §51225.1) A district shall accept coursework done by a student who is in foster care, a homeless child youth, a child of a military family or a former juvenile court school student while attending another school. The district is prohibited from requiring those students to retake courses or partial courses they have satisfactorily completed elsewhere. (Ed. Code, § 51225.2) A complaint of noncompliance alleging violations of these sections, except for Education Code section 48852.7, may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

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

- a. The student's right to a diploma;
- b. How taking coursework and meeting other educational

- requirements will affect the student's ability to gain admission to a post-secondary educational institution;
- c. Information about transfer opportunities available through the California Community Colleges; and
- d. The option to defer or decline the diploma and take additional coursework. (Ed.Code §§ 48645.3(a)48645.7)

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. Report such occurrences to an Associate Principal.

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 amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading.

They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise the parent or eligible student of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. 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
 400 Maryland Avenue, SW
 Washington, DC 20202-5920

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(f) and (g); (5) the student is emancipated and lives within the District; (6) the student lives in the home of an adult who has submitted a caregiver affidavit; (7) the student resides in a state hospital within the District; or (8) the student's parent or legal guardian resides outside of the boundaries of the school district but is employed and lives with the student at the place of his/her employment within the school district boundaries for a minimum of three days during the school week. (Ed. Code, § 48204). The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the district's boundaries for a minimum of 10 hours during the school week. (Ed. Code, §48204). A student also complies with the residency requirements for school attendance in a school district if he or she is a student whose parent is transferred or pending transfer to a military installation within the State while on active duty pursuant to an official military order. However, the parent must provide proof of residence in the school district within ten days after the published arrival date provided on official documentation. (Ed. Code, § 48204.3) A student also complies with the residency requirement if the student's parent/guardians were residents of the state but departed California against their will if the student provides official documentation evidencing the departure of her/his parent/guardians against their will; that the student moved outside of California as a result of her/his

parent/guardians departing California against their will, and that the student lived and was enrolled in school in California immediately before moving outside of California. (Ed. Code, § 48204.4)

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.

Once a pupil is enrolled in a school pursuant to an interdistrict transfer agreement, the pupil must be allowed to continue to attend the school in which he or she is enrolled without reapplying, unless revocation of the interdistrict transfer is a term and condition of the agreement between the districts; however, a district must not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.

Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the district of residence must be given priority for interdistrict attendance under any existing interdistrict attendance agreement or additional consideration for the creation of an interdistrict attendance agreement. (Ed. Code, §§ 46600(b), 48900(r))

If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.

A school district of residence shall not prohibit the transfer of a student who is a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the transfer application. (Ed. Code, § 46600(d))

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

The district in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student

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.

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 the pupil’s 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 the pupils immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside of California.
- 4) For the purpose of jury duty in the manner provided by law.

- 5) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- 6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
- 7) For justifiable personal reasons, including but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- 8) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Election Code.

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.

For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

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

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

Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

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

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 attending Saturday school; (b) Loss of extracurricular and co-curricular privileges for additional 9 weeks. (c) referred to the local School Attendance and Review Board (SARB); (d) referred to the District Attorney; (e) 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 nor safety of any pupil during such time as the pupil has left the school grounds.” (Ed. Code 44808.5)

Tardy Policy

In order for students to be successful and productive, they must develop habits of punctuality. These habits will contribute not only to academic success, but also to career success in later years. Since tardiness is neither responsible nor productive all MUHSD students will be held accountable for punctuality. Reporting to class on time with books and materials needed for the lesson is the responsibility of the student. Materials include a fully charged device and charging adapter if needed. Tardies will be excused only if the student is tardy for valid reasons verified by school personnel, as described under the site-specific tardiness and attendance policies of this handbook. Tardies due to oversleeping, missing the bus, car trouble, traffic, etc. are unexcused, even with parent verification.

Tardiness in excess of thirty (30) minutes is considered truant according to Education Code 48260, and will be treated as truant in accordance with Board Policy (B.P. 5232).

Tardy sweeps will be conducted randomly, throughout the school year. All students will be assigned a Friday/Saturday School if they are outside class without a pass or signed agenda during the sweep, regardless of the step of tardiness. Tardiness may be reflected in the student’s citizenship grade.

Truancy Policy

Each person between the ages of 6 and 18 years is subject to compulsory full-time education. Students may not be absent from school without a valid excuse. While every effort shall be made by school personnel to work toward a change in behavior of each truant student, it is recognized that consequences for truancy must be firm and clear to parents and students. 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 on three occasions in one school year, or any combination thereof. (Ed. Code Sec. 48260).

First Step - The student will be advised of the mandatory attendance laws and the school prescribed consequences,

and instructed to attend all classes. Parent/guardian contact will be made in the most cost-effective method possible, including email or a telephone call.

- School counseling and intervention by attendance liaison and/or counselor.
- Alternative consequences may be assigned.

Second Step - The student’s parent/guardian will be informed in the most cost-effective method possible, including email or a telephone call, of their legal responsibilities. The student is again directed to attend all classes and advised of the mandatory attendance laws and the school’s prescribed consequences. The student and parents are notified that failure to follow the school’s directives shall be treated as “defiance of authority”.

- School counseling and intervention by AP and/or counselor.
- Alternative consequences may be assigned.

Third Step - Student is now a habitual truant. Student will be referred to the Associate Principal who, along with the Attendance Supervisor, will arrange for a School Attendance Review (SART) meeting, where a corrective action plan will be developed with parental input. The student will again be directed to attend all classes unless excused for legal reasons. The parents or guardians and student will be informed that failure to follow this directive will be considered “defiance of authority” and the next incident may lead to loss of extracurricular and co-curricular eligibility as well as a referral to law enforcement. Alternative programs, including the need for additional counseling will be discussed.

- Referral to SART (Student Attendance Review Team). A corrective action plan will be developed with student and parent to improve attendance.
- Alternative consequences may be assigned.

Fourth Step- Student will be referred to the Associate Principal. The student is now a legal habitual truant and may fall under the jurisdiction of the juvenile court. (Education Code Section 48200) The Associate Principal shall call and hold a parent conference. Parents/guardians and students are again informed that failure to follow the school’s directive to attend classes will be “defiance of authority” and may be grounds for involuntary transfer to an alternative program. Student shall be declared ineligible from extra-curricular and co curricular activities for nine (9) weeks from the date the conference is held.

- Referral to School Resource Officer for arrest.

- Referral to an Alternative Program may be made.
- Alternative consequences may be assigned.

Fifth Step – Student will be referred to the Associate Principal. The parents and the student will be informed that the next incidence of refusal to attend classes upon the direction of school authorities may result in a referral to the District’s Alternative Program Screening Committee. It shall be recorded that the student is again truant.

- Student referred to SARB (School Attendance Review Board).
- Loss of extracurricular and co-curricular privileges for additional 9 weeks.
- Work permit revoked.
- Alternative consequences may be assigned.
- Alternative educational programs may be assigned.

Sixth Step- A first class letter shall be sent to the parents/guardians informing them that their student has had additional incidents of truancy since being declared a legal habitual truant (Education Code [48262](#)) and has been in “persistent defiance of authority.” A Corrective Action Plan and sanction recommendation may be initiated.

- Student and/or parent may be referred to Merced County District Attorney for prosecution in juvenile and/or adult court.
- Loss of extracurricular and co-curricular privileges for additional 9 weeks.
- Request for suspension or revocation of driving privileges pursuant to Section 13202.7 of the Vehicle Code submitted.

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, or a physician assistant as specified by law. 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 require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. 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 Johnson, 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, 48980(a), 49403, Health & Safety Code, §§ 120325, 120335.)

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))

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) Social Studies Elective – 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

B. Other Graduation Requirements:

1. Starting with the graduating class of 2015, students must demonstrate competency on the National Educational Technology Standards (NETS).
2. Starting with the class of 2020, all students are required to take two CTE courses equaling 20 credits.
3. 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).

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)

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 school day. (Ed. Code, § 51228.2)

These sections do not apply to students in alternative schools, community day schools, continuation high schools or an opportunity school. A district may continue to authorize dual enrollment in community college, to run evening high school programs, to offer independent study, work experience education, and other specified courses. A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 51228.3)

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. 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	3 years required (4 recommended, UC)
Laboratory Science	3 years required
Language other than English	2 years required (3 recommended, UC)
Visual and Performing Arts (VPA)	1 year required, WL, Art Or CTE
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 audiovisual 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))

Every Student Succeeds Act (ESSA):

The bill is the first to narrow the United States federal government's role in elementary and secondary education

since the 1980s. The ESSA retains the hallmark annual standardized testing requirements of the 2001 No Child Left Behind Act but shifts the law's federal accountability provisions to states. Under the law, students will continue to take annual tests between the third and eighth grades. ESSA leaves significantly more control to the states and districts in determining the standards students are held to. States are required to submit their goals and standards and how they plan to achieve them to the US Department of Education, which must then submit additional feedback, and eventually approve. In doing so, the DOE still holds states accountable by ensuring they are implementing complete and ambitious, yet feasible goals. Students will then be tested each year from third through eighth grade and then once again their junior year of high school. These standardized tests will determine each student's capabilities in the classroom, and the success of the state in implementing its plans. The states are also left to determine the consequences low-performing schools might face and how they will be supported in the following years. The USDOE defines low-performing schools as those in the bottom ten percent of the state, based on the number of students who successfully graduate or the number of students who test proficient in reading or language arts and mathematics. All states must have a multiple-measure accountability system, which include the following four indicators: achievement and/or growth on annual reading/language arts and math assessments; English language proficiency, an elementary and middle school academic measure of student growth; and high school graduation rates. All states also had to include at least one additional indicator of school quality or student success, commonly called the fifth indicator. Most states use chronic absenteeism as their fifth indicator. Another primary goal of the ESSA is preparing all students, regardless of race, income, disability, ethnicity, or proficiency in English, for a successful college experience and fulfilling career. Therefore, ESSA also requires schools to offer college and career counseling and advanced placement courses to all students.

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. If you would like this information, please contact the site principal.

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)

Description of Program Options for English Learners

A description of the language acquisition programs provided in the Merced Union High School District are listed below. Please select the program that best suits your child.

Designated ELD- Structured English Immersion (ELPAC Levels 1-2 [Emerging, Low Expanding, Mid Expanding])

The Structured English Immersion (SEI) Program is described in California Education Code Sections 300-340. This model provides “a classroom setting where English learners who have not yet acquired reasonable fluency in English, as defined by the school district, receive instruction through an English language acquisition process, in which nearly all classroom instruction is in English but with curriculum and presentation designed for children who are learning the language”

(<https://www.cde.ca.gov/ds/sd/cb/cefelfacts.asp>). The goal of the MUHSD SEI program is for EL students to develop a reasonable level of proficiency in English. Academic delays can be remedied through a number of interventions. Access to core content is provided through specially designed academic instruction in English (SDAIE) techniques to enable English Learners to gain access to grade-level subject matter in mathematics, social studies, science, and other required academic subjects. All SEI program teachers must possess an EL authorization as well as appropriate subject matter authorization. Teachers will make appropriate modifications to Board-adopted materials in order to ensure access to core content material. Supplemental resources and materials may be used in addition to Board-adopted materials.

Designated ELD- Structured English (ELPAC Level 3 and 4 [Upper Expanding, Lower Bridging, Upper Bridging])

This model could be titled “Language Mainstream with Appropriate Support”. It is designed for students with "reasonable fluency in English," and provides all instruction in English with additional support services as needed. The program is designed to continue the development of proficiency in English while providing content instruction in English. Mainstream program teachers provide ELD instruction that continues the students' English Language Development, prepares them for reclassification, and recoups any academic deficiencies that may have been incurred in the core curriculum as a result of language. In addition, teachers will use SDAIE strategies to make content knowledge comprehensible to the student. Mainstreamed EL students receive careful monitoring and attention to their academic progress until and after they are reclassified. All core program teachers must possess an EL authorization as well as appropriate subject-matter authorization. Teachers will make appropriate modifications to Board-adopted materials in order to ensure access to core content material. Supplemental resources and materials may be used in addition to Board-adopted materials. Students at or above ELPAC Level 3 Intermediate fluency require SDAIE from a properly authorized teacher until reclassified. Whenever possible, students at this level will be mixed with English Only students in order to prepare students for reclassification. The school is required to administer the state-approved ELPAC test annually until the students are reclassified. Parents/Guardians may choose a language acquisition program that best suits their child. Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC Section 310[a])_Parents may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan. If interested in a different program from those listed above, please contact Dr. Constantino Aguilar at (209) 325-2061 to ask about the process. Parents of English learners have a right to decline or opt their children out of the school district's language acquisition program or opt-out of a particular English learner service(s) within a language acquisition program. (20 U.S.C Section 6318[c][A][vii]) However, LEAs remain obligated to provide the student meaningful instruction (5 CCR

Section 11302) until the student is reclassified, inform the parent when progress is not made, and offer the parent programs and services to consider at that time.

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 28. 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))

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

- (a) The following requirements apply to prohibited pupil fees:
- (1) All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.
 - (2) A fee waiver policy shall not make a pupil fee permissible.
 - (3) School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
 - (4) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school.

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

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

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)

California Assessment of Student Performance and Progress (CAASPP): The CAASPP system is based on the state's California Common Core State Standards (CA CCSS) for English-language arts (ELA) and mathematics, adopted by the State Board of Education in 2010. English Language Arts and math tests are taken by 11th grade students only. The California Science Test (CAST) may be given in the 10th or 11th grade beginning in 2017-18. The primary goal of the 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 or beliefs of the student or student’s parents;
- b. mental and psychological problems of the student or his/her family;
- c. sex behavior or attitudes;
- d. illegal, anti-social, self-incriminating 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.

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))

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 is written into the MUHSD LCAP as a measure of school climate for students, parents and staff 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.

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 year and will be administered 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: www.wested.org/pub/docs/chks_surveys.

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

Students 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 a 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 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, or 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 the 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 Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

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.

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 the District's uniform compliance procedure policy and legal due process.

Bullying/Harassment or Sexual Harassment Reporting Procedure Revised 5/2020

Policies regarding Bullying/ Harassment (BP 5131.2) and Sexual Harassment (BP 5145.7):

BP 5145.7-The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal,

or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

BP 5131.2- Students may submit to a teacher or administrator a verbal or written report of conduct they consider to be bullying. Reports of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 (Sexual Harassment).

School-Level Reporting Process/Grievance Procedure

Reports of bullying/harassment or sexual harassment prohibited by the district's Non-discrimination/Harassment policy. Reports of bullying/harassment or sexual harassment *shall be* handled in accordance with the following procedure:

1. Notice and Receipt of Report:

Any student who believes he/she has been subjected to bullying/ harassment or sexual harassment or who has witnessed bullying/ harassment or sexual harassment may file a report with any school employee.

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint. Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

2. Supportive Measures:

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

3. Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's formal Title IX complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

During the investigation process, the district shall:

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, any evidence that is obtained as part of the investigation that is directly related to the

allegations raised in the complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence obtained by a party or other source, so that each party can meaningfully respond to the evidence and have at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

9. After sending the investigative report to the parties for review and before a decision-maker reaches a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The district shall maintain confidentiality and/or privacy rights of all parties to the complaint in accordance with applicable state and federal laws, except as may be permitted or required by law or to carry out the purposes of this formal Title IX complaint process. If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

4. Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45) The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution

Nondiscrimination and Complaints

process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process

3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5. Factors in Reaching a Determination:

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45) The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45) The written decision shall be issued within 45 calendar days of the receipt of the complaint. The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45) In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45) The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process

3. Findings of fact supporting the determination

4. Conclusions regarding the application of the district's code of conduct to the facts

5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant

6. The district's procedures and permissible bases for the complainant and respondent to appeal.

Declaration of Nondiscrimination: The Merced Union High School District Board of Trustees prohibits unlawful discrimination, harassment, intimidation or bullying against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including actual or perceived sex, sexual orientation, immigration status, gender, ethnic group identification, race or ethnicity, ancestry, national origin, nationality, religion, color, mental or physical disability, age, marital or parental status, gender identity, gender expression, or genetic information, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance (5 CCR 4610).

Equal Opportunity: Equal opportunities for all students 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: Deputy 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.

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 1-16 above.

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 that 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
- (16) Continued Education Options for Former Juvenile Court School Students.
(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 timeline 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 a written description of the manner in which the parent believes special education programs for handicapped do not comply with state or federal law or regulations to: 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 Deputy Superintendent*, at (209) 325-2010

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 the complainant also provides clear and convincing evidence that the complainant would be in danger of retaliation if filing a 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 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.
 - (a) 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)
 - (b) Reconsideration must be requested within thirty-five (35) days of receiving the Department of Education report.
 - (c) The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.
 - (d) For more information on Harassment and Discrimination Assistance go to:
<https://www.muhsd.org/educational-services/equity-accountability/new-page>

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 that 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 the 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.

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

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

Within thirty (30) days, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the

Superintendent shall order the correction, removal, or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within 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 Records 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, student, foster family agency, short-term residential treatment staff, or caregiver whose access to student records is legally authorized. 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 parental 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” 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: Dean Way, 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 parental 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. Avert Cockroach Bait (Iodosulfuron-methyl-sodium)
2. Bayer Celsius WG Herbicide
(Thiencarbazone, Iodosulfuron-methyl-sodium, Dicanba)
3. Bayer Corp Pesticide (Disulfoton, Fensulfothion)
4. Bayer Tempo 20 WP Insecticide
(b-Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl) methyl 3-(2,2-dichloroethene)-2,2-dimethylcyclo-propanecarboxylate)
5. Bengal Wasp and Hornet Killer (Lambda-cyhalothrin, Prallethrin)
6. Tempo SC
(B-Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethene)-2,2-dimethyl cyclo-propane carboxylate)
7. Dual choice 360A Whitmire Microgen (Abamectin B1)
8. Raid Ant and Roach Killer 17 Lavender Scent (Fipronil)
9. Raid Wasp and Hornet Killer (Lambda-cyhalothrin, Prallethrin)
10. Ranger Pro (Glyphosate)
11. Roundup Pro (Glyphosate)
12. Roundup Pro Max (Glyphosate)
13. Spectracide Wasp and Hornet Killer (Prallethrin/lambda Cyhalothrin)
14. Speedzone (2,4-D, Z-ethylhexyl ter 10.49%)
15. Systemic Rose Care with Insecticide (Tebuconazole, Imadocloprid)
16. Tempo Ultra
(b-Cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethene)-2,2-dimethylcyclo-propanecarboxylate)
17. Hasten (Ethyl oleate)
18. Revolver (Formsulfuron)
19. Catchmaster Glue Traps (Exempt)

20. Roach Motel Glue Traps (Exempt)
21. Gopher Tox (Zinc Phosphide)
22. Amdro Mole and Gopher Bait (Zinc Phosphide)
23. Green Thumb Roach Ant & Spider Killer
(Bioallethrin, N-Octyl bicycloheptene dicarboximide, Permethrin)
24. Green Thumb Wasp & Hornet Killer
(Cypermethrin, Prallethrin)
25. Ultra-Kill Wasp & Hornet Killer (Prallethrin, Lambda Cyhalorhrin)

Other pesticides may be used.

Parents/guardians of the Merced Union High School District can register with the District's designee, Derek Daley, to receive notification of individual pesticide applications by contacting 325-2244 or ddaley@muhsd.org

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>

KNOW YOUR RIGHTS WITH ICE

Immigration and Customs Enforcement (ICE) is one of the federal government agencies responsible for deporting people. ICE is part of the U.S. Department of Homeland Security (DHS).

Who is at risk of being arrested by ICE?

The law allows the federal government to deport certain immigrants, including:

- Anyone without lawful immigration status
- People with status (e.g., lawful permanent residents, refugees and visa holders) who have certain criminal convictions.

The people that the Trump Administration announced ICE will initially focus on deporting include:

- people with pending criminal cases and/or prior criminal convictions;
- people with final orders of removal; • people who have committed fraud or misrepresentation in applications to the government;

- people they believe pose a threat to public safety or national security.

People with legal status and prior convictions Be aware: You may be a target even if:

- Your conviction is from years ago;
- You didn't serve time in jail;
- Your case was minor or a misdemeanor;
- You've been an LPR for a long time; and/or
- All the other members of your family are US citizens.

What are some of the ways ICE may know about me? If you have been arrested and the police took your fingerprints; sent an application to immigration or been arrested by immigration in the past; have a pending criminal case or if you are on probation or parole.

Are ICE agents approaching anyone they think they can deport? ICE agents usually identify the person they want to arrest ahead of time. Then, they go to homes, courthouses, shelters and even workplaces to look for that person. Increasingly, they are waiting on the street to make the arrest.

If I know I'm at risk, what can I do?

- Make a plan with your loved ones in case you are picked up by ICE!
- Talk to a lawyer before you apply to change your immigration status, renew your green card, or travel outside of the United States.

What should I do if ICE agents approach me on the street or in public? When ICE agents arrest someone in public, it typically happens quickly. They may call your name out loud and ask you to confirm your name and then detain you.

- Before you say your name or anything else, ask, "AM I FREE TO GO?"

-If they say YES: Say, "I don't want to answer your questions" or "I'd rather not speak with you right now." Walk away.

-If they say NO: Use your right to remain silent! Say, "I want to use my right not to answer questions" and then "I want to speak to a lawyer."

- If ICE starts to search inside your pockets or belongings, say, "I do not consent to a search."

- DON'T LIE or show false documents. Don't flee or resist arrest.

- Don't answer questions about your immigration status or where you were born. They will use any information you provide against you. Do not hand over any foreign documents such as a passport, consular IDs, or expired visas.

- If you are in Criminal Court for a court date, ask to speak to your defender before they take you away.

If officers come to my home, will I know they are from ICE? Not always! Beware: ICE agents often pretend to be police and say they want to talk to you about identity theft or an ongoing investigation.

Can ICE agents enter my home to arrest me? If ICE agents do not have a warrant signed by a judge, they cannot enter the home without permission from an adult. Opening the door when they knock does not give them permission to enter your home. **So, what do I do if officers are at my door?**

- Find out if they are from DHS or ICE.
- Try to stay calm. Be polite. Don't lie. Say "I don't want to talk to you right now."
- Politely ask to see a warrant signed by a judge and to slip it under the door. If they don't have one, decline to let them in.
- If they are looking for someone else, ask them to leave contact information. You don't have to tell them where to find the person and you should not lie.

What can I do if ICE is inside my home to make an arrest?

- Tell them if there are children or other vulnerable residents at home.
- Ask them to step outside unless they have a warrant signed by a judge.
- If they came inside without your permission, tell them "I do not consent to you being in my home. Please leave."
- If they start to search rooms or items in your home, tell them "I do not consent to your search."

- If ICE is arresting you, tell them if you have medical issues or need to arrange for childcare.

What are my rights if I am being arrested by ICE?

- You have the right to remain silent. You have the right to speak to a lawyer.
- DO NOT LIE. It can only hurt you in the future.
- You do NOT have to share any information about where you were born, what your immigration status is, or your criminal record. Ask to speak to a lawyer instead of answering questions.
- You do NOT have to give them your consular documents or passport unless they have a warrant from a judge.
- You do not have to sign anything.

The above information was written by IDP with the legal support of the Center for Constitutional Rights. Updated in January 2018. For more info on ICE tactics and your rights, please see IDPs longer booklet at: immigrantdefenseproject.org/ice-arrests

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.

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's 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 it to the Office. (Once a student leaves campus, they will not be allowed to ride the 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 drivers may assign seats.

16. No eating, drinking or chewing gum on the bus.
Should you have any questions regarding transportation call 209-325-2350 or visit the District Website:
<http://www.muhsd.org>

USDA is an equal opportunity provider, employer, and lender.

Nutritional information

Meals are available every school day at all district schools. The high school district participates in the Community Eligibility Provision (CEP) program and offers one breakfast and one lunch per day at no cost. Additional meals may be purchased at a nominal cost of \$2.00 for breakfast and \$3.00 for lunch. For more information regarding this program call 325-2211.

In accordance with Federal Civil Rights law and U.S. Department of Agriculture (USDA) Civil Rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior credible activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture,

Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

