Welcome to the 2018-19 School Year in Oakland Unified School District (OUSD)!

In this Student & Family Handbook, you’ll find information about Board of Education policies, your rights and responsibilities, several programs and services, and useful website and calendar information.

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At the time of publication, OUSD was undergoing a reorganization of central office to better streamline services in support of our students. As such, we encourage you to visit our website at www.ousd.org for the most up to date programmatic and contact information for our District and staff. You can also call the main District phone number at 510-879-8200.

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ANNUAL NOTICE TO PARENTS
2018-2019

DEAR PARENT/GUARDIAN:

Section 48980 of the Education Code of California requires that notice be given at the beginning of the first semester or quarter of the regular school term to the parent or guardian of the minor pupils in the school district regarding the rights of the parent or guardian under sections 32390, 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, 51938, Chapter 2.3 (commencing with section 32255) of Part 19, and notice of the availability of the program prescribed by Article 9 (commencing with section 49510) of Chapter 9 and of the availability of individualized instruction under section 48206.3. Section 48982 requires that this Notice be signed and returned by the parent or guardian to the school. Signature and return of the OUSD Policies Signature Page form is acknowledgement by the parent or guardian that he or she has been informed of his or her rights but does not indicate that consent to participate in any particular program has either been given or withheld. Pursuant to parent request, the annual notification may be provided to the parent or guardian in electronic format by providing access to the notice electronically. If the notice is provided in electronic format, the parent or guardian must submit to the school a signed acknowledgement of receipt of this notice. You may view the District’s Annual Notice to Parents as part of the Student and Family Handbook available online at www.ousd.org/studentfamilyhandbook. Attached to this Notice as part of the Handbook is a Policy Appendix which includes the District’s policies on specified topics as noted below. Please note that all the District’s Board Policies are also available online at www.ousd.org/boardpolicies.

Some legislation requires additional notification to the parents or guardians during the school term or at least 15 days prior to a specific activity. (A separate letter will be sent to parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are spelled out in this form. Accordingly, you are hereby notified as follows (when used in this notification “parent” includes a parent or legal guardian):

STUDENT DISCIPLINE

RULES AND PROCEDURES ON SCHOOL DISCIPLINE (EC §35291): Rules pertaining to student discipline, including those that govern suspension or expulsion, are set forth in Education Code Sections 48900 and following, and are available online at www.ousd.org/boardpolicies and upon request from the school. District discipline policies are included in the attached Policy Appendix. In addition, the following disciplinary information is provided to parents:

DUTY CONCERNING CONDUCT OF PUPILS (EC §44807): Every teacher shall hold pupils accountable for their conduct on the way to and from school, and on the playground.

DUTIES OF PUPILS (5 CCR §300): Pupils must conform to school regulations, obey all directions, be diligent in study, be respectful of teachers/others in authority, and refrain from profane/vulgar language.

HAZING PROHIBITION (EC §48900(q)): Pupils and other persons in attendance are prohibited from engaging or attempting to engage in hazing.

DRESS CODE/GANG APPAREL (EC §35183): The District is authorized to adopt a reasonable dress code.

ATTENDANCE OF SUSPENDED PUPIL’S PARENT (EC §48900.1; LC §230.7): If a teacher suspends a student, the teacher may require the child’s parent to attend a portion of the school day in his or her child’s class. Employers may not discriminate.
against parents who are required to comply with this requirement.

SCHOOL ACCOUNTABILITY REPORT CARD (SARC) (EC §35256, 35258): Districts are to make a concerted effort to notify parents of the purpose of school accountability report cards, and ensure that all parents have access to a copy. View SARC’s for OUSD schools online at www.ousd.org/sarc. Parents can receive a copy of a SARC upon request at the school site.

SAFE PLACE TO LEARN ACT (EC §234.1): The District is committed to maintaining a learning and working environment that is free from bullying, as defined in EC §48900(r). Any student who engages in bullying of anyone in or from the District may be subject to disciplinary action up to and including expulsion. The District’s policies and process for filing a complaint should be publicized to pupils, parents, employees and agents of the governing board. The notice shall be in English and in the primary language of the recipient. For a copy of the District’s anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies or to report incidences of bullying please access them online at www.ousd.org/ombudsperson or www.ousd.org/boardpolicies or contact the District office. These policies shall be posted in schools and offices.

SCHOOL RECORDS AND ACHIEVEMENT

PUPIL RECORDS/NOTICE OF PRIVACY RIGHTS OF PARENTS AND STUDENTS (EC §49063 et seq., §49069, §49073, 34 CFR 99.30, 34 CFR 99.34, and the federal Family Educational Rights and Privacy Act): Federal and state laws concerning student records grant certain rights of privacy and right of access to students and to their parents. Full access to all personally identifiable written records maintained by the school district must be granted to: (1) Parents of students 17 and younger; (2) Parents of students age 18 and older if the student is a dependent for tax purposes and the records are needed for a legitimate educational purpose; (3) Students age 18 and older, or students who are enrolled in an institution of postsecondary instruction (called “eligible students”); (4) Pupils age 14 and over who are identified as both homeless and an unaccompanied youth; (5) Individuals who have completed and signed a Caregiver’s Authorization Affidavit.

Parents, or an eligible student, may review individual records by making a request to the principal. Districts must respond to a pupil record request by providing access no later than five business days following the date of the request. The principal will see that explanation and interpretations are provided if requested. Information that is alleged to be inaccurate or inappropriate may be removed upon request. In addition, parents or eligible students may receive a copy of any information in the records at reasonable cost per page. District policies and procedures relating to: location of, and types of records; kinds of information retained; availability of certificated personnel to interpret records if requested; persons responsible for records; directory information; access by other persons; review and challenge of records are available through the principal at each school. When a student moves to a new district, records will be forwarded upon the request of the new school district within ten school days. At the time of transfer, the parent or eligible student may review, receive a copy (at a reasonable fee), and/or challenge the records. You may view OUSD policies related to Student Records online at www.ousd.org/boardpolicies.

If you believe the District is not in compliance with federal regulations regarding privacy, you may file a complaint with the United States Department of Education (20 USC §1232g).

You have the right to inspect all instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any applicable program.

Tests on Personal Beliefs

Unless a student’s parent is notified first in writing and gives written permission, a student will not be questioned on surveys or examinations about their or their parent’s personal beliefs or practices regarding politics or political affiliations; mental or psychological problems; sex behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior; critical appraisals of others who are close family; legally recognized privileged or similar relationships, such as those of lawyers, physicians, and ministers; religious practices, affiliations, or beliefs; or income (other than that required by law to determine eligibility for participation in a program
RELEASE OF PUPIL DIRECTORY INFORMATION (EC §49073, 34 CFR 99.37): The District also makes student directory information available in accordance with state and federal laws. This means that each student’s name, birth date, address, telephone number, email address, major course of study, participation in officially recognized school activities, dates of attendance, degrees and awards received, and most recent previous public or private school attendance may be released in accordance with board policy. In addition, height and weight of athletes may be made available. Appropriate directory information may be provided to any agency or person except private, profit-making organizations (other than employers, potential employers or the news media). Names and addresses of seniors or terminating students may be given to public or private schools and colleges.

Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and the District will not release such information without parental consent or a court order. Parents and eligible students will be notified prior to the destruction of any special education records. You have the right to inspect a survey or other instrument to be administered or distributed to your child that either collects personal information for marketing or sale or requests information about beliefs and practices and any instructional material to be used as part of your child’s educational curriculum. Please contact your child’s school if you wish to inspect such a survey or other instrument.

Upon written request from the parent of a student age 17 or younger, the District will withhold directory information about the student. If the student is 18 or older or enrolled in an institution of postsecondary instruction and makes a written request, the student’s request to deny access to directory information will be honored. Requests must be submitted by the last Friday in August. (See Decline Release of Directory information portion of OUSD Policies & Signature Packet.) Additionally, directory information related to homeless or unaccompanied youths will not be released without the express written consent for its release by the eligible pupil or guardian.

RELEASE OF INFO TO MILITARY SERVICES REPS / RELEASE OF TELEPHONE NUMBERS (EC §49073.5; 20 USC §7908): Parents of secondary students may request in writing that the student’s name, address, and telephone listing not be released to armed forces recruiters without prior written parental consent. Parents who do not wish this information to be released must check the Military Exemption box of the OUSD Policies Signature Page and complete the opt out information in that packet by the last Friday in August.

PARTICIPATION IN STATE ASSESSMENTS AND OPTION TO REQUEST EXEMPTION (EC § 60615, 5 CCR § 852): Pupils in applicable grade levels will participate in the California Assessment of Student Performance and Progress (CAASPP) except as exempted by law. Each year, a parent may submit a written request to excuse his or her child from any or all parts of the CAASPP assessments for that school year. If the parent submits the exemption request after testing begins, any test(s) completed before the request is submitted will be scored; the results will be included in the pupil’s records and reported to the parent. School district employees will not solicit or encourage any exemption request on behalf of a pupil or group of pupils.

HIGH SCHOOL CURRICULUM: NOTIFICATION REGARDING COLLEGE PREPARATORY COURSES (EC §51229): Districts are required to provide parents of each minor pupil enrolled in grades 9 to 12 written notice of college admission requirements and career technical education courses. See attached graduation and college admission requirements and description of career technical education and Cal Grant information. At the time of publication, the District’s graduation requirements were under review. For the most up to date information, please visit www.ousd.org.

RELEASE OF STUDENT RECORDS/COMPLIANCE WITH SUBPOENA OR COURT ORDER (EC §§49076 and 49077): Districts are required to make a reasonable effort to notify parents in advance of disclosing student information pursuant to a subpoena or court order.
RELEASE OF STUDENT RECORDS TO SCHOOL OFFICIALS AND EMPLOYEES OF THE DISTRICT (EC §§49076(a)(1) and 49064(d)): Districts may release educational records, without obtaining prior written parental consent, to any school official or employee, which would include accountants, consultants, contractors, or other service providers, who have a legitimate educational interest in the educational record. You may view district policies related to Student Records and their release online at www.ousd.org/boardpolicies.

HEALTH SERVICES

CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM (H&SC §124085): Physical examinations are required as a prerequisite for enrollment in the first grade. Free health screening may be available through the local health department. Failure to comply with this requirement or sign an appropriate waiver may result in exclusion of your child from school for up to five days.

PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT (EC §49451): A child may be exempt from physical examination whenever the parents file, annually, a written statement with the school principal stating that they will not consent to routine physical exam of their child. Whenever there is good reason to believe the child is suffering from a recognized contagious disease, the child will be excluded from school attendance.

VISION APPRAISAL (EC §49455): The District is required to appraise each student’s vision during kindergarten, upon initial enrollment, and in grades 2, 5, and 8. Appraisal in the year immediately following a student’s first enrollment in grades 4 or 7 shall not be required. The appraisal shall include tests for visual acuity, near vision, and color vision; however, color vision shall be appraised once and only on male students. The evaluation may be waived upon presentation of a certificate from a physician, surgeon, physician’s assistant, or optometrist setting out the results of a determination of the student’s vision, including visual acuity and color vision. This appraisal is not required if a parent files a written objection based on a religious belief with the principal.

SCOLIOSIS SCREENING NOTICE (EC §§49451 and 49452.5): In addition to the physical examinations required pursuant to Sections 100275, 124035 and 124090 of the Health and Safety Code, the District may provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis.

DENTAL FLUORIDE TREATMENT (H&SC §104830 et seq.): Pupils will be provided the opportunity to receive the topical application of fluoride or other decay-inhibiting agent to each pupil’s teeth if the parent, or eligible pupil submits a letter stating that the treatment is desired.

PUPIL NUTRITION/NOTICE OF FREE AND REDUCED PRICE MEALS (EC §§48980(b), 49510, 49520 and 49558): Children may be eligible for free or reduced price meals. Details, eligibility criteria, and applications to participate in a free or reduced price meal program if it is available are available at your child’s school. Individual records pertaining to student participation in any free or reduced-price meal program may, under appropriate circumstances, be used by school district employees to identify students eligible for public school choice and services pursuant to the federal Every Student Succeeds Act. When a household is selected for verification of eligibility for free and reduced meals, the District must notify the parent that their child(ren)’s eligibility is being verified.

COMMUNICABLE DISEASES (EC §48216 and 49403): The District is authorized to administer immunizing agents to pupils whose parents have consented in writing to the administration of such immunizing agent. The District is required to exclude pupils who have not been properly immunized pursuant to Health and Safety Code 120325 and 120335. The District must notify parents that they have two weeks to supply evidence either that the pupil has been properly immunized or is exempted from the requirement. All students entering kindergarten, advancing from sixth to seventh grade in the District, or prior to his or her first admission to the District, will be required to comply with the immunization requirements of Health and Safety Code section 120335, unless the student provides the District with a valid exemption from a licensed physician. No new personal belief exemptions will be accepted. Students with personal-belief exemptions on file with the District as of January 1, 2016, shall be
allowed to continue enrollment until entering the next grade span in the District. Grade spans are defined as birth through preschool, K-6, including transitional kindergarten, and 7-12. Students qualified for an individualized education program may access special education and related services as required by his or her individualized educational program.

MEDICATION (EC §49423, §49423.1): Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the physician and a parental request for assistance in administering the medication. Students may also carry and self-administer prescription auto-injectable epinephrine and prescription inhaled asthma medication upon the school’s receipt of specified written confirmation with instructions for self-administration and authorization from the student’s parent and physician or surgeon. The parent must release the school district and personnel from liability for any harm resulting from the self-administered medication, and provide a release for authorized school personnel to consult with the physician or surgeon. Required Forms can be found online at www.ousd.org/healthforms, or at each school.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS (EC §§49471 and 49472): The District is required to notify parents in writing if it does not provide or make available medical and hospital services for students injured while participating in athletic activities. The District is also authorized to provide medical or hospital services through non-profit membership corporations or insurance policies for student injuries arising out of school-related activities. OUSD provides student accident insurance coverage for student injuries arising out of school-related activities. Forms are available at each school. For more information on the insurance or how to file a claim, visit www.ousd.org/riskmanagement or contact the Office of Risk Management at 879-1612.

AVAILABILITY OF INDIVIDUALIZED INSTRUCTION/PRESENCE OF PUPIL WITH TEMPORARY DISABILITY IN HOSPITAL (EC §§48206.3, 48207-48208): Individualized instruction is available to students with temporary disabilities whose disability makes attendance in the regular day classes or alternative education program in which the student is enrolled impossible or inadvisable. Parents of students hospitalized or with a temporary disability shall notify the school district where the student receives care if an individualized instruction program is desired.

CONTINUING MEDICATION REGIMEN (EC §49480): Parents of any student on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication(s) being taken, the current dosage, and the name of the supervising physician. (See attached form.) With the consent of the parent, the school nurse may communicate with the physician and may counsel with school personnel regarding the possible effects of the drug on the child’s physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN (EC §35183.5): School sites must allow for outdoor use of sun-protective clothing and must allow students to use sunscreen, without a prescription or physician’s note, during the school day.

ASBESTOS (40 CFR 763.84, 40 CFR 763.93): The District has a plan for eliminating health risks that are created by the presence of asbestos in school buildings. It may be reviewed at the District office. At least once each year, the District will notify parents of inspections, response actions, and post-response action activities that are planned or in progress. You may review a site’s Operations and Management plan for Asbestos, located in the principal’s office, during regular school hours. Call the Environmental, Health and Safety Office at 510-535-2723 if you have further questions.

USE OF PESTICIDES (EC §§17611.5, 17612 and 48980.3): School districts are required to inform parents about the use of pesticides on school grounds and provide access to the integrated pest management plan when certain pesticides are used. (See attached form.)

COMPREHENSIVE SCHOOL SAFETY PLAN (EC §§32280 et seq.): Each school is required to report
on the status of its school safety plan, including a description of its key elements, in the annual school accountability report card (SARC). The planning committee is required to hold a public meeting to allow members of the public the opportunity to express an opinion about the school plan. The planning committee shall notify specified persons and entities in writing.

NOTICE OF COMPLIANCE (EC §32289): A complaint of noncompliance with the school safety planning requirements may be filed with the State Department of Education under the Uniform Complaint Procedures (5 CCR 4600 et seq.).

TOBACCO FREE SCHOOLS (HS §104420): Use of tobacco products at any time by students, staff, parents, or visitors, is strictly prohibited in district-owned or leased buildings, on district property, and in district vehicles. This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Prohibited products include any product containing tobacco or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic cigarettes that can deliver nicotine and nonnicotine vaporized solutions. Exceptions may be made for the use or possession of prescription nicotine products. Any employee or student who violates the District’s tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

STUDENT SERVICES

MINIMUM AGE OF ADMISSION TO KINDERGARTEN (EC §48000): A child shall be eligible for enrollment in kindergarten at the beginning of the school year or at a later time in the same year, if the child has his or her fifth birthday, respectively, on or before September 1. Any child who will have his/her birthday between September 1 for the applicable school year and December 2 shall be offered a transitional kindergarten program in accordance with law and district policy. On a case-by-case basis, a child who has reached age five after the date listed above but before the end of the applicable school year, may be admitted to kindergarten with the approval of the child’s parent and subject to board approval in accordance with EC §48000.

PROSPECTUS OF SCHOOL CURRICULUM (EC §49091.14): The curriculum of every course offered by the schools of the District is compiled annually by each school in a prospectus. Each school prospectus is available for review upon request at each school site. Copies are available upon request for a fee not to exceed the actual copying cost.

MULTILINGUAL EDUCATION (EC §310): If the District implements a language acquisition program pursuant to EC §310, information on the types of language programs available and a description of each program will be made available with this notice or upon enrollment. See attached description of Education for English Language Learners. For more information about these programs, please visit the website of the English Language Learner and Multilingual Achievement Office: www.ousd.org/ellma.

SPECIAL EDUCATION (IDEA): State and federal law requires that a free appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. More information concerning student eligibility, parental rights and procedural safeguards are available at www.ousd.org/specialeducation and upon request.

SPECIAL EDUCATION; CHILD FIND SYSTEM (EC §56301): Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal. Policy and procedures shall include written notification to all parents of their rights pursuant to EC §56300. (See attached general information on Identification Process and Programs and Services.) Further Special Education contact and program information is available online at www.ousd.org/specialeducation.

SPECIAL EDUCATION COMPLAINTS (5 CCR §3080): State regulations require the District to establish procedures to deal with complaints regarding special education. If you believe that the District is in violation of federal or state law governing the identification or placement of a special education student, or similar issues, you may file a written complaint with the District. State regulations require the District to forward your complaint to the
State Superintendent of Public Instruction. Procedures are available from your school principal or at www.ousd.org/ombudsperson.

SECTION 504/DISABLED PUPILS (Section 504 of the Rehabilitation Act of 1973): Federal law requires the District to annually notify disabled pupils and their parents of the District’s non-discriminatory policy and duty under Section 504 of the Rehabilitation Act. (See attached information on Section 504 Services). Further information is available online at www.ousd.org/healthservices.

STATMENT OF NONDISCRIMINATION (Title VI of the Civil Rights Act of 1964; Title IX of the U.S. Education Amendments of 1972; Americans with Disabilities Act; Section 504 of the Vocational Rehabilitation Act of 1973; EC §200 et seq.): The District does not discriminate on the basis of gender, gender identity, gender expression, sex, race, color, religion, national origin, ethnic group identification, age, genetic information, mental or physical disability, sexual orientation, immigration status, or the perception of one or more of such characteristics. The District’s policy of nondiscrimination requires notification in native language if the District’s service area contains a community of minority persons with limited English language skills. Notification must state that the District will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging noncompliance with this policy should be directed to the school principal. Appeals may be made to the District superintendent. A copy of the District’s nondiscrimination policies is attached in the Policy Appendix and available upon request. At the time of publication, the District’s nondiscrimination policies were under review. For the most up to date information, please visit www.ousd.org/boardpolicies. Further Information on equity and nondiscrimination, including complaint procedures and the contact information for the District’s Title IX Coordinator, is available online at www.ousd.org/ombudsperson.

EDUCATIONAL EQUITY REGARDLESS OF IMMIGRATION STATUS, CITIZENSHIP, OR RELIGION

(EC §234.7): Children have a right to a free public education, regardless of immigration status, citizenship status, or religious beliefs. When enrolling a child, schools must accept a variety of documents from the student’s parent to demonstrate proof of child’s age or residency. No information about citizenship/immigration status or Social Security number is required to enroll in school. Parents have the option to provide a school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for a minor student in the event the parent is detained or deported. Parents have the option to complete a Caregiver’s Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for a minor student. Students have the right to report a hate crime or file a complaint to the school district if they are discriminated against, harassed, intimidated, or bullied on the basis of actual or perceived nationality, ethnicity, or immigration status. The California Attorney General’s website provides “know your rights” resources for immigrant students and family members online at oag.ca.gov/immigrant/rights. The District’s Sanctuary District Resolution is attached. Further information is available at www.ousd.org/sanctuary/families.

FINGERPRINTING PROGRAM (EC §32390): Districts are authorized to offer fingerprinting programs for children enrolled in kindergarten or newly enrolled in the District. If the District has adopted such a program, you will be notified of procedures, applicable fee and your right to decline your child’s participation upon your child’s initial enrollment.

CHILDREN IN HOMELESS SITUATIONS (42 USC §11431-11435): Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations.

SEX / HIV EDUCATION

INSTRUCTION IN COMPREHENSIVE SEXUAL HEALTH EDUCATION AND HIV PREVENTION (EC §51938): The District shall annually notify parents about instruction in comprehensive sexual health
education and HIV prevention education and research on student health behaviors and risks planned for the school year. Written and audiovisual educational materials used in such education are available for inspection. If arrangement for the instruction is made after the beginning of the school year, parents will be notified no fewer than 14 days prior to the commencement of any such instruction if the District elects to provide the instruction by outside consultants in class or during an assembly. The notice must include the date of instruction, the name of the organization or affiliation of each guest speaker and information stating that the parent has the right to request a copy of the law pertaining to such instruction. Parents have the right to excuse his or her child from all or part of the comprehensive sexual health and HIV prevention education by submitting a written request to the District. Those students whose parents do not submit a written request to excuse them will receive such instruction. The law also authorizes the District, without prior parental consent, to use anonymous, voluntary and confidential research and evaluation tools to measure student’s health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions in grades 7 to 12 about the student’s attitudes concerning or practices relating to sex. The District must notify parents in writing before any such test, questionnaire, or survey is administered and provide them with an opportunity to review the materials. Parents have the right to excuse his or her child from such participation by submitting a written request to the school district.

HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS (EC §51240): Upon written request of a parent, students shall be excused from part of any school instruction in health if it conflicts with the religious training and beliefs of a parent.

SCHOOL ATTENDANCE/ATTENDANCE ALTERNATIVES

California law (EC §48980(g)) requires all school boards to inform each student’s parent at the beginning of the school year of the various ways in which they may choose schools for their children to attend other than the ones assigned by school districts. Many resources are available to help you learn about and compare the District’s schools, including: the Oakland School Finder, the School Performance Framework and the Options Enrollment Guide, all of which can be accessed at www.ousd.org/enroll.

Attending Options Fairs, open houses and going on campus tours are also great ways to get a feel for different learning communities. See also in Policy Appendix attached OUSD BP 5116.1 and AR 5116.1 Open Enrollment and Intradistrict Open Enrollment, respectively.

Note: At the time of publication, the District’s policies on open enrollment were under review. For the most up to date information, please visit www.ousd.org.

Students who attend schools other than those assigned by the Districts are referred to as “transfer students” throughout this notification. There is one process for choosing a school within the District which the parent lives (intradistrict transfer), and potentially three separate processes for selecting schools in other districts (interdistrict transfer). The general requirements and limitations of each process are described as follows:

Choosing a School Within District in Which Parent Lives:

The law (EC §35160.5(b)) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the District. The law limits choice within a school district as follows:

• Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school’s attendance area.
• In cases in which there are more requests to attend a school than there are openings, the selection process must be “random and unbiased,” which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student’s academic or athletic performance as a reason to accept or reject a transfer.
• Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic
balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the District out of compliance with a court-ordered or voluntary desegregation program.

- A district is not required to provide transportation assistance to a student that transfers to another school in the District under these provisions.
- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

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

Option 1: Districts of Choice (EC §§48300 through 48315): The law allows, but does not require, each school district to become a “district of choice” – that is, a district that accepts transfer students from outside the District under the terms of the referenced Education Code sections. If the school board of a district decides to become a “district of choice” it must determine the number of students it is willing to accept in this category each year and accept all pupils who apply to transfer until the school district is at maximum capacity. The school district of choice shall ensure that pupils admitted under this article are selected through an unbiased process, that prohibits consideration of factors such as academic or athletic performance, physical conditions, or proficiency in English. If the District chooses not to become a “district of choice,” a parent may not request a transfer under these provisions. Other provisions of the “district of choice” option include:

- Either the District a student would transfer to or the District a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the District, or a court-ordered or voluntary desegregation plan. A district of choice cannot deny a transfer request on the basis that the costs to provide services exceeds the revenue received, but it may reject a request if doing so would require the creation of a new program. However, the District of choice may not deny the transfer of any special needs student, including an individual with exceptional needs, or an English Learner student even if the cost to educate the student exceeds the revenue received or the creation of a new program is required. The District a student would be leaving may also limit the total number of students transferring out of the District each year to a specified percentage of its total enrollment, depending on the size of the District.
- Communications to parents by a school district of choice shall be factually accurate and shall not target students based upon academic ability, athletic performance, or other personal characteristics.
- The District of choice must post transfer application information on its website, including any applicable forms, the timeline for a transfer, and an explanation of the selection process.
- All communications from a school district of choice regarding transfer opportunities must be available in all languages for which translations are required in the school district of residence under EC §48985.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Entrance priority must be given as follows:
  - Siblings of students already attending school in the “district of choice” must be given first priority.
  - Pupils eligible for free or reduced-price meals must be given second priority.
  - Children of military personnel must be given third priority.
- A parent may request transportation assistance within the boundaries of the “district of choice.” The District is required to provide transportation only to the extent it already does so.
- A school district in which an active military duty parent of a student resides shall not deny the transfer of that student to a school in any district, if the school district to which the parent of the student applies approves the application for transfer.

Option 2: Other Interdistrict Transfers (EC §46600 et seq.): The law allows two or more districts to enter into an agreement for the transfer of one or
more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. Districts of residence may not deny a transfer of a student whose parent is active duty military where the District of proposed enrollment approves the application. The law on interdistrict transfers also provides for the following:

- 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.

**Option 3: Parental Employment in Lieu of Residency Transfers (EC §48204(b)):** If at least one parent of a student is physically employed in the boundaries of a school district other than the one in which they live for a minimum of 10 hours during the school week, the student may be considered a resident of the school district in which his/her parents work. This code section does not require that 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 EC §48204(b) include:

- Either the District in which the parent lives or the District in which the parent works may prohibit the student’s transfer if it negatively impacts a desegregation plan.
- The District in which the parent works may reject a transfer if it determines that the cost of educating the student would be more than the amount of government funds the District would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the District approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the District that declines to admit a student must provide in writing to the parent the specific reasons for denying the transfer.

**Open Enrollment Act (EC §48350 et seq.):** Whenever a student is attending a district school on the Open Enrollment List, as identified by the Superintendent of Public Instruction, he/she may apply to transfer to another school within or outside of the District, if the school to which he/she is transferring has a higher Academic Performance Index. Districts with a school on the List must notify the parents at that school on or before the first day of the school year of their option to transfer to another public school. Information regarding the application process and applicable deadlines can be obtained from the District office.

This summary provides an overview of the laws applicable to school attendance for each alternative. Additional information is available upon request and at www.ousd.org/enroll.

**NOTICE OF ALTERNATIVE SCHOOLS (EC §58501):** State law authorizes all school districts to provide for alternative schools. Education Code section 58500 defines an alternative school as a school or separate class group within a school that is operated in a manner designed to:

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
2. Recognize that the best learning takes place when the student learns because of his/her desire to learn.
3. Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
4. 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.
5. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located. In the event any parent, student, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and
the principal’s office in each attendance area shall have copies of the law available for your information. This law particularly authorizes interested persons to request that the governing board of the District to establish alternative school programs.

GRADE REDUCTION/LOSS OF ACADEMIC CREDIT (EC §48980(i)): No student shall have his/her grade reduced or lose academic credit for any excused absence pursuant to EC §48205 for missed assignments/tests that can reasonably be provided/completed.

ABSENCES FOR CONFIDENTIAL MEDICAL SERVICES (EC §46010.1): Students in grades 7-12 and their parents are notified that the law permits schools to excuse students for the purpose of obtaining confidential medical services without parental consent. District policy regarding excusing such absences is available upon request or at [www.ousd.org/boardpolicies](http://www.ousd.org/boardpolicies).

ABSENCE FOR RELIGIOUS INSTRUCTION (EC §46014): Districts may allow pupils with parent consent to be excused to participate in religious exercises/instruction.

NOTICE OF MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS (EC §48980(c)): The District is required to annually notify parents of its schedule(s) of minimum days and student-free staff development days at the beginning of the year or as early as possible, but no later than one month prior to the scheduled minimum or student-free day. (See attached District Calendar.)

MISCELLANEOUS

NON-MANDATORY PROGRAMS FOR PARENTAL/PUPIL PARTICIPATION (EC §49091.18): Schools may not require a student or student’s family to submit to or participate in any assessment, analysis, evaluation, or monitoring of the quality or character of student home life, parental screening or testing, nonacademic home-based counseling program, parent training, or prescribed family educational service plan.

SEX EQUITY IN CAREER PLANNING (EC §221.5(d)): 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.

SEXUAL HARASSMENT POLICY (EC §231.5; 5 CCR §4917): Each district is required to have adopted a written policy on sexual harassment, and shall provide a copy of such policy, as it pertains to students, with the annual notification. (See attached Policy Appendix.) Districts are also required to display such policies in a prominent location and include it in orientation for employees and students.

DRUG FREE CAMPUS (Alcohol and Other Drug Use Prevention Education): Possession, use or sale of narcotics, alcohol, or other controlled substances is prohibited and strictly enforced at all school activities. Records will be forwarded to local law enforcement, and district sanctions will result from violations.

RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS (EC §3225 et seq.): Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals.

EVERY STUDENT SUCCESSES ACT (20 USC §6301 et seq.): Under ESSA, parents have the following rights:

- 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 she/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher’s college major, whether she/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications. The District shall also notify parents if their child has been assigned to or has been taught for 4 or more consecutive weeks by a teacher who is not highly qualified.
• Information Regarding Individual Student Reports on Statewide Assessments: Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

• Limited English Proficient Students: The Act requires prior notice be given to parents of English learners regarding limited English proficiency programs, including the reasons for the identification of the student as an English learner, the need of placement in a language instruction educational program, the student’s level of English proficiency, how such level was assessed, the status of the student’s academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student’s needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for English learners. See attached description of Education for English Language Learners. For more information about these programs, please visit the website of the English Language Learner and Multilingual Achievement Office: www.ousd.org/ellma

• Program Improvement Schools: Parents shall be notified when their child’s school is identified as a “program improvement” school and the opportunities for school choice.

The information provided above is available upon request from your child’s school or the District office. Additional notices that may be required under the Every Student Succeeds Act shall be sent separately.

UNIFORM COMPLAINT PROCEDURES (5 CCR §4622): The District is required to annually notify parents, pupils, employees, district and school advisory committees and other interested parties in writing of its required Uniform Complaint Procedures. (See attached Annual Notification of Uniform Complaint Procedures.)

SCHOOL BUSES/PASSENGER SAFETY (EC §39831.5): Districts are required to provide safety regulations to all new students and students who have not previously been transported by school bus. (See attached Bus Safety Pamphlet)

MEGAN’S LAW NOTIFICATION (PENAL CODE §290.4): Parents and members of the public have the right to review information regarding registered sex offenders at the main office of the local law enforcement agency for this school district.

EXCUSED ABSENCES (EC §48205)
(a) Notwithstanding Section 48200, a pupil 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/city health officer.
(3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
(4) For the purpose of attending the funeral services of a member of the pupil’s immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
(5) For the purpose of jury duty in the manner provided for by law.
(6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
(7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil’s absence is requested in writing by the parent and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
(8) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
(9) For the purpose of spending time with a member of the pupil’s immediate family, who is an active duty member of the uniformed services, as defined in section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
(10) For the purpose of attending the pupil’s naturalization ceremony to become a United States citizen.

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

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

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

(e) "Immediate family," as used in this section, has the same meaning as that set forth in section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

INVESTING FOR FUTURE EDUCATION (EC §48980(d)):
Parents are advised of the importance of investing for higher education for their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.

COMPLAINTS CONCERNING DEFICIENCIES RELATED TO INSTRUCTIONAL MATERIALS, ETC. (EC §35186):
A Uniform Complaint process is available to help identify and resolve deficiencies related to instructional materials, emergency or urgent facility conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment. Notice of the complaint process and location at which to obtain a complaint form should be posted in the classrooms. See attached Notice of Complaint Rights. Further information on Williams Uniform Complaint Procedures is available at www.ousd.org/ombudsperson and www.ousd.org/board policies.

SCHOOL ACCREDITATION (EC §35178.4): Districts are required to notify each parent of a pupil in a school that has lost its accreditation status and the potential consequences of the school’s loss of status, in writing or by posting the information on the school district’s or school’s Internet Website, or by any combination of these methods.

PUPIL FEES (EC §49010 et seq.): The District is required to establish policies concerning the provision of a free education to pupils. The District is also required to establish policies for filing a complaint of noncompliance under this section using the Uniform Complaint Procedures. Notice of the District’s fee policies and complaint process shall be provided to pupils, parents, and employees on an annual basis. (See attached Annual Notification of Uniform Complaint Procedures and www.ousd.org/board policies for further information).

LOCAL CONTROL AND ACCOUNTABILITY PLAN (EC §§52060-52077): The District is required to adopt a three-year Local Control and Accountability Plan (LCAP) and to update the LCAP on or before July 1 of each subsequent year. The LCAP is required to identify annual goals, specific actions geared toward implementing those goals, and must measure progress for student subgroups across multiple performance indicators based on eight priorities set by the State. The priorities must be aligned to the District’s spending plan. The LCAP must be approved before the annual district budget can be adopted. Once the budget and LCAP are adopted at the local level, the plan will be reviewed by the county superintendent to ensure alignment of projected spending toward goals and services. The following are the State priorities:

1. Providing all students access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities;
2. Implementation of and student access to state academic content and performance standards;
3. Parent involvement and participation;
4. Improving student achievement and outcomes along multiple measures;
5. Supporting student engagement;
6. Highlighting school climate and connectedness;

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The Board of Education is required to establish a parent advisory committee (PAC) and English learner parent advisory committee (ELPAC) to provide advice to the Board of Education and the superintendent regarding the LCAP. (ELPACs are required if enrollment in the school district includes at least 15% English learners and the District enrolls at least 50 pupils who are English learners. Districts are not required to establish a new ELPAC if an English learner parent committee has already been established). PACs shall include parents of low income students, English learner students, and foster youth.

Each district is required to consult with its teachers, principals, administrators, other school personnel, local bargaining units, parents, and pupils in developing the LCAP. As part of this consultation process, districts must present their proposed plans to the PAC and ELPAC. The advisory committees can review and comment on the proposed plan. Districts must respond in writing to the comments of the PAC and ELPAC. Districts are also required to notify members of the public that they may submit written comments regarding the specific actions and expenditures proposed in the LCAP.

Districts must hold at least two public hearings to discuss and adopt (or update) their LCAPs. The District must first hold at least one hearing to solicit recommendations and comments from the public regarding expenditures proposed in the plan, and then adopt (or officially update) the LCAP at a subsequent hearing.

Districts are required to post on the school district website the LCAP approved by the Board of Education and any updates or revisions to the LCAP, and establish policies for filing a complaint of noncompliance under EC §52075 using the Uniform Complaint Procedures. Information regarding the requirements for a Local Control and Accountability Plan and the complaint process shall be provided to pupils, parents, and employees on an annual basis. You may view the District’s approved LCAP and any updates to it at www.ousd.org/lcap. See attached Annual Notification of Uniform Complaint procedures.

CLOSED vs. OPEN CAMPUS DURING LUNCH
The following district high schools have closed campuses during lunch, that is students stay on campus for lunch: Castlemont, Fremont, McClymonds, Madison Park, Dewey, Bunche, Oakland High, Oakland International, Life Academy, CCPA, Skyline, and Rudsdale. Oakland Tech and MetWest permit students to leave the school grounds during the lunch period. All students who leave the school are required to return by the end of lunch. An exception is made for MetWest students who have internships and do not return to campus after lunch. Neither the school district nor any officer or employee of the District will be liable for the conduct or safety of any student who has left the school grounds for the open lunch period. Please contact your child’s high school for its lunch policy.

EDUCATION CODE SECTION 44808.5

See attached Policy Appendix for additional information on:
Parent Involvement Programs (BP 6020)
Police (BP 5145.11, BP 5145.13, BP 5145.14)
Student Use of Technology/Internet Safety (BP 6163.4, AR 6163.4)
Translation services (BP 5124)
KNOW YOUR RIGHTS

Your Child has the Right to a Free Public Education
- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students’ parents or guardians.
- In California:
  - All children have the right to a free public education.
  - All children ages 6 to 18 years must be enrolled in school.
  - All students and staff have the right to attend safe, secure, and peaceful schools.
  - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality gender, religion, or immigration status, among other characteristics.

Information Required for School Enrollment
- When enrolling a child, schools must accept a variety of documents from the student’s parent or guardian to demonstrate proof of child’s age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

Confidentiality of Personal Information
- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student “directory information.” If they do, then each year, your child’s school district must provide parents/guardians with written notice of the school’s directory information policy, and let you know of your option to refuse release of your child’s information in the directory.

Family Safety Plans if You Are Detained or Deported
- You have the option to provide your child’s school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver’s Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint
- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.
ANNUAL NOTIFICATION OF
THE UNIFORM COMPLAINT PROCEDURES (UCP)

2018-19

For students, employees, parents or guardians of its students, school and district advisory committees,
appropriate private school officials or representatives, and other interested parties.

The Oakland Unified School District has the primary responsibility to ensure compliance with applicable state and
federal laws and regulations governing educational programs, The district has established procedures to address
allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging a violation
of state or federal laws governing educational programs and the charging of unlawful pupil fees.

The District encourages the early, informal resolution of complaints at the site level whenever possible. If possible,
we ask that you first, please contact your Principal, Department Director or Network Superintendent, if you have a
concern.

NON-DISCRIMINATION

The Oakland Unified School District shall investigate all allegations of unlawful discrimination (such as
discriminatory harassment, intimidation, or bullying) against any student, employee, or other person
participating in district programs and activities, including, but not limited to, those programs and
activities funded directly by or that receive or benefit from any state financial assistance, based on
the person’s actual or perceived characteristics of race or ethnicity, color, ancestry, nationality,
national origin, immigration status, ethnic group identification, age, religion, marital status,
pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender
identity, gender expression, or genetic information, or any other characteristic identified in, Education
Code 200 and 220, Government Code 11135, or Penal Code section 422.55 or equity or compliance
with Title IX, or based on his/her association with a
person or group with one or more of these actual or
perceived characteristics. School personnel shall take immediate steps to intervene, when it is safe to
do so and when he or she witnesses an act of
discrimination, harassment, intimidation or bullying.

TITLE IX - SEXUAL HARASSMENT

The Oakland Unified School District is committed to maintaining a safe learning and working
environment that is free from harassment and
discrimination. Sexual harassment is a form of sex
discrimination under Title IX of the U.S. Education
Amendments of 1972 and is prohibited by both
federal and state laws. Sexual Harassment is defined
as unwelcome sexual advances, requests for sexual
favors, or other visual, verbal, or physical contact of
a sexual nature that is made a condition of learning
or that seriously interferes with a student’s ability to
learn or creates an offensive, hostile or intimidating
learning or work environment. Any student who
engages in sexual harassment of anyone in or from
the district may be subject to disciplinary action up
to and including expulsion. Any employee who
permits, engages in, or fails to report sexual
harassment shall be subject to disciplinary action up
to and including dismissal. Board Policy 5145.7
(Students) and Board Policy 4119.11 (Personnel). As
provided in BP 5145.7, each school site shall identify
a person (i.e. Site Title IX Liaison) responsible for
addressing student sexual harassment complaints.
This person may be the principal or their designee
and shall receive training.

The District prohibits any form of retaliation against
any complainant in the complaint process.
Participation in the complaint process shall not in
any way affect the status, grades, or work assignments of the complainant.

A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth reasons for the extension.

**STATE & FEDERAL PROGRAMS**

The UCP shall also be used to address complaints alleging failure to comply with state and/or federal laws in:

a. Adult Education
b. After School Education and Safety
c. Agricultural Vocational Education
d. American Indian Education Centers and Early Childhood Education Program Assessments
e. Bilingual Education
f. California Peer Assistance and Review Program for Teachers
g. Career Technical and Technical Education and Career Technical & Technical Training
h. Career Technical Education
i. Child Care and Development
j. Child Nutrition
k. Compensatory Education
l. Consolidated Categorical Aid
m. Course Periods Without Educational Content
n. Economic Impact Aid
o. Education of Pupils in Foster Care, Pupils who are Homeless or former Juvenile Court school students and children of military families
p. Every Student Succeeds Act (ESSA) /No Child Left Behind (NCLB)(Titles I-VII)
q. English Learner Programs
r. Local Control Accountability Plans (LCAP)
s. Migrant Education
t. Physical Education Instructional Minutes (for grades one through six)
u. Pupil Fees
v. Reasonable Accommodation to a Lactating Pupil
w. Regional Occupational Centers and Programs
x. School Safety Plans
y. Special Education
z. State Preschool
aa. Tobacco-Use Prevention Education (TUPE)

**UNLAWFUL STUDENT FEES**

A student enrolled in a public school shall be not required to pay a pupil fee for participation in an educational activity that constitutes an integral fundamental part of the district’s educational program, including curricular and extracurricular activities

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition of registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fee complaint shall be filed no later than one (1) year from the date the alleged violation occurred.

*Complaints of noncompliance with laws relating to pupil fees should first be filed with the school principal. A pupil fee complaint may be filed anonymously, if the complainant provides evidence or information leading to evidence to support the complaint.

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)**

The Governing Board is required to adopt and annually update the LCAP, in a manner that includes meaningful engagement of parents/guardians, students and other stakeholders in the development and/or review of the LCAP. An LCAP complaint may be filed anonymously, if the complainant provides
FOSTER YOUTH, HOMELESS STUDENT OR FORMER JUVENILE COURT SCHOOL STUDENT OR A CHILD OF A MILITARY FAMILY

A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

A foster youth, homeless student or a former Juvenile Court school student or a child of a military family as defined in Education Code Section 49701, who transfers into a district high school or between district high schools as applicable shall be notified of the district’s responsibility to:

(1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school (including schools operated by the U.S. Department of Defense), juvenile court school, or a nonpublic, nonsectarian school or agency, even if the student did not complete the entire course, and to issue full or partial credit for the coursework completed and applied to the same or equivalent course, if applicable, as the coursework completed in the prior public school, juvenile court school, or a nonpublic or, nonsectarian school or agency.

(2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency. The exception being that if a student has not completed the entire course, the student shall not be required to retake that portion of the course completed, unless the district finds, in consultation with the student’s educational rights holder, that the student is reasonably able to meet the requirements of a partially completed course in time to graduate from high school. When partial credit is awarded, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

(3) Permit the student to retake or take a course to meet the eligibility requirements for admission to CSU or UC.

(4) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

WRITTEN DECISION

The UCP complaint review shall be completed within 60 calendar days from the date of the receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

APPEALS & CIVIL LAW REMEDIES

The complainant has a right to appeal the District’s decision to the California Department of Education (CDE) by filing a written appeal within 15 calendar days of receiving the District’s Decision. The appeal must include a copy of the complaint filed with the District and a copy of the District’s Decision.

Civil law remedies may be available under state or federal antidiscrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code section 262.3. A complainant may pursue available civil law remedies outside of the District’s complaint procedures. Complainants have the right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education’s Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
FILING A COMPLAINT

A copy of Board Policy 1312.3: Uniform Complaint Procedures is available free of charge.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put the complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5CCR 4600)

If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

The District’s Uniform Complaint Procedures (UCP) policy and administrative regulation shall be posted on the district’s website and may be provided through the district supported social media, if available. The UCP shall also be posted in all district schools and offices, including staff lounges and student government meeting rooms. If fifteen (15) percent or more of students enrolled in a particular district school speak a single primary language other than English, the district’s policy, regulation, forms and notices concerning UCP shall be translated into that language (Education Code 234.1, 48985). In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Complaint forms are available at the Office of the Ombudsperson, (1000 Broadway, Suite 150, Oakland, CA 94607). The Uniform Complaint Procedures and complaint forms are also available on the District’s website at: www.ousd.org/ombudsperson.

With the exception of unlawful student fee complaints, which may be filed within one (1) year of the alleged violation; all other uniform complaints must be filed no later than six (6) months after the alleged occurrence.

COMPLIANCE OFFICER(S)

Complaints, other than complaints relating to student fees, must be filed in writing with the following compliance officer:

Mr. Gabriel Valenzuela, Ombudsperson/Title IX Coordinator, is responsible for the intake and monitoring of all formal District complaints. The Ombudsperson (1000 Broadway, 1st Floor, Suite 150, Oakland, CA 94607) is also responsible for investigating parent/student complaints regarding discrimination, and complaints regarding student suspensions where students were not provided with restorative justice or another alternative approach that is not available at a school site as an alternative to suspension. He is also investigates complaints concerning the program for English Language Learners (ELL) and retaliation for, or interference with, ELL Program advocacy. The Ombudsperson also coordinates Williams Uniform Complaints. Mr. Valenzuela may be contacted at (510) 879-4281, FAX (510) 879-3678 or via email at gabriel.valenzuela@ousd.org.

The Ombudsperson has independent authority to: visit any school or office; speak to any student, staff person or parent/guardian; review any documents to conduct impartial investigations; and attend any meeting without the prior permission from the principal or manager. The Ombudsperson is also available to explain his role and responsibilities to students, staff, parents/guardians and members of the public. Please contact the Ombudsperson, if you have any questions regarding the District’s Uniform Complaint Procedures (UCP).

Ms. Tara Gard, Deputy Chief, Talent Management, (1000 Broadway, 2nd Floor, Suite 295, Oakland, CA 94607) is responsible for investigating complaints alleging discrimination in employment. Ms. Gard may be contacted at (510) 879-0159, FAX: 879-0228 or via email at tara.gard@ousd.org.

Ms. Barbara Parker, Health Services/Section 504 Coordinator, Community Schools & Student Services Department (1000 Broadway, 1st Floor, Suite 150, Oakland, CA 94607) is responsible for coordinating
program modifications for students with disabilities covered under Section 504 of the Rehabilitation Act of 1973. She also investigates complaints concerning Section 504. Ms. Parker may be contacted at (510) 879-2742; FAX (510) 879-4605 or via email at 504@ousd.org.

Mr. Jeff Godown, Chief of Police, Oakland School Police Department (1011 Union Street, Oakland, CA 94607), is responsible for coordinating and investigating complaints filed against Oakland School Police Officers and School Security Officers (SSOs). Chief Godown may be contacted at (510) 874-7777, FAX (510) 874-7787 or via email at police@ousd.org.
Williams Uniform Complaint Procedures

The District shall follow the Williams Uniform Complaint Procedures for complaints related only to sufficiency of instructional materials, unsafe or unclean school facilities, teacher vacancies or misassignments.

NOTICE TO PARENTS/GUARDIANS, STUDENTS AND TEACHERS: COMPLAINT RIGHTS

Education Code 35186 requires that the following notice be posted in each school classroom in each school in the district.

Parents/Guardians, Students and Teachers:
(1.) There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
(2.) School facilities must be clean, safe, and maintained in good repair. (a) School restrooms should be cleaned and maintained regularly and stocked at all times with toilet paper, soap, paper towels or functioning hand dryers. (b) The school should keep all restrooms open during school hours when students are not in classes; and (c) keeps a sufficient number of restrooms open during school hours when students are in classes, except for student safety or repair.
(3.) There should be no teacher vacancies or mis-assignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credentials to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. (Education Code 35186)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186)

All Williams Uniform Complaints will be investigated within forty-five (45) working days. Only facilities concerns regarding unsafe conditions may be appealed to the State Superintendent of Public Instruction.

A complaint form can be obtained at the school office, District office, or downloaded from the district web site at [www.ousd.org/ombudsperson](http://www.ousd.org/ombudsperson). You may also download a copy of the California Department of Education complaint form from: [www.cde.ca.gov/re/cp/uc](http://www.cde.ca.gov/re/cp/uc).

Office of the Ombudsperson, 1000 Broadway, Suite 150, Oakland, CA 94607. For more information, please call (510) 879-4281 or send a fax to (510) 879-3678.

ADMINISTRATIVE REGULATION 1312.4
Education for English Language Learners

TIMELINE FOR ENGLISH LANGUAGE LEARNERS AND PARENT NOTIFICATION

1. INITIAL ASSESSMENT

Upon initial enrollment to the District, any student who lists a language other than English on the first three questions of the Home Language Survey will be given two assessments to determine language proficiency:

- For 2017-18, the California English Language Development Test (CELDT). Thereafter, the English Language Proficiency Assessment for California (the ELPAC)
- A Primary Language Test

These assessments will be administered within 30 days of the student’s first day of school, either at the OUSD Welcome Center or at the school site.

2. INITIAL PARENT NOTIFICATION AND PROGRAM PLACEMENT

Based on the assessment results, within 20 days of completing the tests, the District will inform parents of their child’s placement in the English Language Acceleration Program (ELAP), via Parent Notification Letter, or a different program such as Dual Language, if the parent chooses that program.

The Parent Notification Letter will be in English and in the parent’s primary language when possible (Spanish, Chinese, Vietnamese, Cambodian and Arabic), and will also include:

- Their child’s test scores and the reasons for their child’s assessment
- Descriptions of instructional programs and how they will help the student become fully proficient in English
- Information about requesting a waiver from the program placement, including requesting a bilingual program (see section below: RECLASSIFICATION AND PARENTS’ RIGHT TO OPT OUT OF INSTRUCTIONAL PROGRAMS)
- Information about parents’ right to participate in school and District advisory committees
- Procedures for exiting the instructional program

- The student’s expected rate of transition to English and the expected rate of secondary school graduation for ELL students.

Each student identified as an English Language Learner (ELL) in OUSD is offered English language development and instruction to provide him or her with equal access to the core curriculum. All our programs for English Language Learners are designed to ensure that English Language Learners make rapid progress toward proficiency in academic English language mastery and grade-level content standards. This is in accordance with the Oakland Unified Master Plan for English Language Learners, federal and state regulations, and legal mandates.

Our Dual Language programs allow our students the opportunity to learn academic content in two languages and become bilingual and biliterate. Our Newcomer programs provide a safe and welcoming environment that supports newly arrived immigrant students as they learn English while studying the core curriculum. For more information about these programs, please visit the website of the English Language Learner and Multilingual Achievement Office: [www.ousd.org/ellma](http://www.ousd.org/ellma).

Parents may obtain additional information about instructional programs at the Welcome Center, during the Options process, during confirmation of enrollment, or during confirmation of intention to return.

3. ONGOING ANNUAL PARENT NOTIFICATION LETTER

In the fall, parents of English Language Learners will receive an Annual Parent Notification Letter with the same information listed above for the purpose of alerting parents of their English Language Learner child’s instructional program placement and services.
RECLASSIFICATION AND PARENTS’ RIGHT TO CHOOSE INSTRUCTIONAL PROGRAMS

1. OPTING OUT OF ELL SERVICES

Parents have the right to opt out of certain services provided to English Language Learners, and to request dual language/bilingual instruction.

2. DUAL LANGUAGE/BILINGUAL PROGRAM OPTION

Parents may request a bilingual program option for their child.

If parents of 20 or more students who speak the same language in one grade level at the same school request an alternative bilingual program, the school is required to provide this program or OUSD will allow the students to transfer to a school where the program is provided.

For further information or assistance, contact your principal or the Welcome Center at 510-273-1600.

3. REQUIRED ANNUAL LANGUAGE PROFICIENCY TESTS FOR ALL ELL STUDENTS.

Students who have already been classified as English Language Learners will take the English Language Proficiency Assessment for California (ELPAC) annually in the Spring at the school site.

ELL students must continue to take the ELPAC annually until they reclassify as Fluent English Proficient.

4. RECLASSIFICATION OF ELLS

To be reclassified as English proficient, students must meet the certain criteria. Moving forward, most or all of reclassification criteria will be based on student performance on the ELPAC. However, 2017-18 will be a transitional school year, and criteria for reclassification are not yet defined as of the publication of this document.
Special Education

The District’s Special Education Department is staffed with certificated, classified, and administrative staff members who educate, support, and advocate for students with special needs. The District provides free and appropriate public education in the least restrictive environment to students ages 3 through 21 years who qualify for Special Education and Related Services. A full continuum of service options is available to students with identified disabilities.

These include:
- Autism
- Deaf-blindness
- Deafness
- Emotional Disturbance (ED)
- Established Medical Disability (EMD)
- Hard of Hearing (HH)
- Intellectual Disability (ID)
- Multiple Disabilities (MD)
- Orthopedic Impairment (OI)
- Other Health Impairment (OHI)
- Specific Learning Disability (SLD)
- Speech or Language Impairment (SLI)
- Traumatic Brain Injury (TBI)
- Visual Impairment, including Blindness

IDENTIFICATION PROCESS

Students are eligible for Special Education when review of assessments by an individualized education plan (IEP) team results in a determination that the student has a disability that adversely affects educational performance and that cannot be corrected without special education or related services. Students may be referred for testing by a parent, teacher, other school staff, or agency personnel to the following teams, based on students’ ages:

- birth to 5 years—Infant/Preschool Diagnostic Team
- school-age students attending Oakland Public Schools—Resource Specialist at the school of attendance

Any parent suspecting that a child has exceptional needs may request, through their school principal, an assessment for eligibility for special education services. Special education assessments are conducted by qualified District staff within 60 days of receiving the parents’ written consent to a formal assessment plan. A written report of the testing results is shared with the parents at an Individualized Education Plan (IEP) meeting. The assessments must identify any suspected disability, any adverse effects on the student’s achievement (e.g., low performance), and any areas of need. Using this information, the IEP team determines eligibility, goals, and objectives for the educational program and an appropriate special education program or service for the student.

PROGRAMS AND SERVICES

Every public school in Oakland has a Resource Specialist Program (RSP). A resource specialist is a case manager for referrals and provides services for students who need less than half a day of special education support. For students requiring very specialized instruction (hearing impaired, visually impaired, autistic, etc.), the District offers Special Day Class (SDC) and Emotionally Disturbed (ED) programs at all grade levels throughout the District. Many students who receive special education require related services in one or more areas in order to benefit from their educational program. Some of these services are speech and language, orientation and mobility instruction, physical or occupational therapy, assistive technology, adaptive physical education, and brailing. More information concerning student eligibility, parental rights and procedural safeguards, and programs is available upon request by contacting our Special Education Department at 879-8670. The office is located at 1011 Union Street.

EDUCATION CODE SECTIONS 56000, 56030–56050, 56301, 56325; BOARD POLICY 6164.4

The district provides transportation services, such as bus passes, to special education students who have transportation services as part of their IEP. Call our Special Education Department at 879-8670 for additional information.
STUDENTS WITH PHYSICAL OR MENTAL DISABILITIES

OUSD prohibits discrimination and harassment in any program or activity on the basis of mental or physical disability. Parents or students who have questions or complaints regarding eligibility, program modifications, or accommodations for individuals with mental or physical disabilities should contact their child’s school site administrator or the Special Education Department at 879-8670. BOARD POLICY 6164.4, BOARD POLICY 6159.1

SECTION 504 OF THE REHABILITATION ACT OF 1973

Reasonable Accommodation/ Section 504 Services is part of a U.S. law that requires schools to meet the educational needs of students with disabilities as adequately as they meet the educational needs of students who don’t have disabilities (or schools must provide students with disabilities the same chance to benefit from school programs, services, and activities as students without disabilities).

If a student with a disability meets certain requirements, the school can develop a 504 Plan for the student. A 504 Plan tells what the school will do to help make sure that the individual educational needs of a student with a disability are being met. In order to have a 504 Plan, a student must meet both of these requirements:

1. The student must have a physical or mental impairment that gets in the way of learning or participating in school programs or activities.

2. The student’s impairment must substantially limit at least one “major life activity.”

Frequently Asked Questions About Section 504

WHAT IS A “MAJOR LIFE ACTIVITY”?  

“Major life activities” include such things as seeing, hearing, eating, sleeping, breathing, speaking, walking, thinking, learning, and working. “Major life activities” also include the operation of major bodily functions such as normal cell growth; the immune system; and bowel, bladder, endocrine, neurological, and circulatory functions. What are some examples of disabilities that might substantially limit a major life activity?

Attention Deficit Disorder, Cancer, Chronic Asthma, Cystic Fibrosis, Diabetes, Physical disabilities, Seizure Disorder, Severe Allergies, Sickle Cell Anemia, Temporary disabilities

HOW DO I REQUEST ACCOMMODATIONS FOR MY CHILD?

To get things started, talk with the 504 Coordinator at your child’s school (call the office at your child’s school and ask for the 504 Coordinator). The school 504 Coordinator will help you with the paperwork for requesting a 504 Assessment to see if your child meets requirements to have a 504 Plan. The school 504 Coordinator will review your request for a 504 Assessment and get back to you within 15 days.

WHO DECIDES IF MY CHILD RECEIVES ACCOMMODATIONS?

During the 504 Assessment, the school 504 Coordinator will gather information from you, including any written documentation about your child that you wish to share, your child’s school records, and school staff who are familiar with the needs of your child. School staff might also arrange for testing to get a better understanding of your child’s educational needs.

The next step is to have a 504 team meeting to review all of the information about your child’s needs and decide whether your child meets the requirements to have a 504 Plan. This meeting will include you, the school 504 Coordinator, your child’s teachers, and other school staff who work with your child, such as the school counselor or school nurse. If
your child meets the requirements, the team will develop a 504 Plan for your child during the meeting.

**WHAT ARE EXAMPLES OF ACCOMMODATIONS THAT CAN BE PROVIDED IN A SECTION 504 PLAN?**

- Seating in the front of the class
- Creating a behavior support plan
- Testing accommodations
- Alternative formats of classroom materials
- Providing additional time for homework
- Assignments

**WHAT RIGHT DO PARENTS/GUARDIAN HAVE UNDER SECTION 504?**

As a parent or guardian, you have the right to:

- have the school staff consider whether your child might need a 504 Plan, based on information from a variety of sources.
- get all information in your native language in the main way that you communicate.
- examine all records about your child’s 504 Plan or request for a 504 Plan.
- be told ahead of time about any actions the school is planning to take that are related to your child’s 504 Plan or request for a 504 Plan.
- have your child’s 504 Plan reviewed and evaluated on a regular basis. You have the right to be told before any major changes are made to the services.
- an impartial hearing (a fair hearing) if you disagree with a decision or with something the school plans to do. You have the right to have a lawyer with you at the hearing if you want to.
- appeal the decision if you have a hearing and you disagree with the decision made by the official who conducts the hearing.

**HOW IS A SECTION 504 COMPLAINT MADE?**

Local school site resolutions are encouraged. However, if the complaint cannot be resolved, a written complaint may be filed with the District 504 Coordinator through the District Ombudsperson. Please note that complaints generally must be filed with the Ombudsperson within six months from the date of the incident. Complaint forms are available at school sites, online at [www.ousd.org/ombudsperson](http://www.ousd.org/ombudsperson). The Office of the Ombudsperson is located at 1000 Broadway, Suite 150, Oakland, CA 94607. The telephone number is 879-4281, fax 879-3678, and you can email the Ombudsperson at: gabriel.valenzuela@ousd.org.

**WHERE CAN I OBTAIN FURTHER INFORMATION OR ASSISTANCE?**

Ask for more information at your child’s school site, or contact: Dr. Barbara Parker, Health Services Coordinator/District 504 Coordinator at 1000 Broadway, Oakland. Email: 504@ousd.org, phone 879-2742.

Board Policy 6164.6
PROMOTION AND GRADUATION REQUIREMENTS

Students in Oakland are promoted to the next grade when they demonstrate the mastery of key subject areas in each grade. It is important that students come to class every day, in order to have access to as much instruction as possible. Students who do not pass four core subjects in middle school will not participate in promotion ceremonies, but will be allowed to progress to high school. Check www.ousd.org for updated Board policy on elementary, middle and high school promotion and retention requirements.

High School Promotion and Graduation

High school students must meet the following four minimum requirements in order to graduate:

- 230 credits in required subjects (semester course = 5 credits, year course = 10 credits)
- Grade Point Average (GPA) of 2.0
- Completion of a senior project (requirements determined by school)
- Student who fail courses required for graduation are expected to attend afterschool programs, summer school, or retake courses during the next semester. Most schools offer alternate options to make up courses such as credit recovery, independent studies, or online credit recovery programs.

Effective for the 2016-17 school year, students will progress through the grade levels by demonstrating growth in learning and by meeting grade-level standards of expected student achievement. Students shall be placed at the appropriate grade level based on the number of credits earned each year in grades 9-12. Accordingly, the following minimum number of credits must be earned for each grade level to be promoted, based on the 230-credit requirement for graduation.

- Grade 10: 50 credits
- Grade 11: 110 credits
- Grade 12: 170 credits

The school administration may promote a student at any time during the school year when students have earned the minimum number of credits required for advancement to the next grade level.

Most four-year colleges require additional coursework beyond OUSD graduation requirements. To be eligible for application to any University of California (UC) or California State University (CSU) college, a student must complete the “a–g” requirements by earning a grade of C or better in a specific set of courses (see the chart below). It is very important to monitor your child’s progress in fulfilling the “a–g” requirements for college eligibility.

Advanced Placement & International

Baccalaureate Students may enroll in Advanced Placement (AP) classes and take the national AP exams. Students who earn a 3, 4, or 5 on the AP exam may earn college credits.

Advanced Placement & International Baccalaureate Exam Fees

Eligible high school students may receive financial assistance from the school district to cover all or part of the costs of the advanced placement examination fees or the International Baccalaureate examination fees, or both. Please contact your high school for more information.

EDUCATION CODE Section 52242

California High School Proficiency Exam (CHSPE)

5 CCR 11523 - Requires the principal of a school maintaining grades 11 and 12 to distribute an announcement explaining the California High School Proficiency Examination provided under EC 48412. Notification to be made in time sufficient to enable interested pupils to meet examination registration requirements for fall test.

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and
Oakland Unified School District
Student & Family Handbook 2018-19

registration deadlines, visit the following website: www.chspe.net.

<table>
<thead>
<tr>
<th>SUBJECT AREA</th>
<th>OUSD GRADUATION AND “A-–G” REQUIREMENTS FOR UC/CSU ADMISSION</th>
<th>MEETS OR EXCEEDS UC/CSU ADMISSION REQUIREMENTS?</th>
</tr>
</thead>
<tbody>
<tr>
<td>a: Social Studies</td>
<td>30 credits (3 years); 1 year U.S. History, 1 year World History, ½ year American Government, ½ year Economics</td>
<td>☑️ 20 credits (2 years)</td>
</tr>
<tr>
<td>b: English</td>
<td>40 credits (4 years) of college—prep English (English 1, 2, 3, 4, and/or AP English Language &amp; AP English Literature). May include ELD 5 for 10 credits</td>
<td>☑️ 40 credits (4 years)</td>
</tr>
<tr>
<td>c: Math</td>
<td>30 credits (3 years); including Algebra, Geometry, and Advanced Algebra, or a higher course</td>
<td>☑️ 30 credits (3 years; 4 recommended)</td>
</tr>
<tr>
<td>d: Lab Science</td>
<td>30 credits (3 years), including 10 credits of a biological science, 10 credits of physical science, plus 10 credits of an additional science course</td>
<td>☑️ 20 credits (2 years, 3 recommended)</td>
</tr>
<tr>
<td>e: Language other than English</td>
<td>20 credits (2 years) of the same language</td>
<td>☑️ 20 credits (2 years)</td>
</tr>
<tr>
<td>f: Visual and Performing Arts</td>
<td>10 credits (1 year). Must be 1 year of the same VPA course</td>
<td></td>
</tr>
<tr>
<td>g: College—Prep* Elective</td>
<td>10 credits (1 year) of a year—long course</td>
<td>☑️</td>
</tr>
<tr>
<td>Other Electives</td>
<td>40 credits (ex: leadership, journalism)</td>
<td></td>
</tr>
<tr>
<td>Physical Education</td>
<td>20 credits (2 years): P.E. or JROTC except where nonparticipation is authorized by the Education Code or Board of Education</td>
<td></td>
</tr>
<tr>
<td>Other Requirements</td>
<td>2.0 Grade Point Average</td>
<td>SAT or ACT Test</td>
</tr>
<tr>
<td></td>
<td>Completion of Senior Project/ Graduate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Passage of ELA &amp; Math</td>
<td>Grades of “C” or higher in all “a—g” courses</td>
</tr>
<tr>
<td>Total</td>
<td>230 Credits</td>
<td>15 courses</td>
</tr>
</tbody>
</table>

Graduates must also earn a 2.0 Grade Point Average (GPA) and complete a Senior Capstone Project.

Beginning in 7th grade, parents will be notified in advance of career counseling, course selection, and pathways opportunities to promote sex equity and allow parents to participate in counseling sessions and decisions.

* University of California Office of the President (UCOP) approves certain courses as “college—prep” level. See OUSD Doorways list for additional information: www.ucop.edu/doorways.
Career Technical Education

Career Technical Education programs (CTE) prepare students to enter today’s competitive workforce. CTE courses support the California Common Core State Standards and CTE Model Curriculum Standards, preparing students for a successful high school experience, postsecondary options and the world of work. CTE classes are structured around Programs of Study (POS) that involve a non-duplicative, multi-year sequence of courses that supports and integrates core academic knowledge with industry specific CTE Model Curriculum Standards. These courses begin in high school and lead to postsecondary courses that culminate in an industry recognized certificate, credential or degree. For more information, please visit: www.ousd.org/linkedlearning or www.cde.ca.gov/ci/ct.

All OUSD students will meet with counselors during their 9th grade year to map out a course of study that meets the A-G requirements, graduation requirements and leverages student talents and interests. Students will select Linked Learning pathways that provide the most interest and relevance to students and will provide a series of CTE courses that support college, career and community readiness.

At the time of publication, graduation requirements were under review. For the most up to date information, please visit www.ousd.org, EDUCATION CODE SECTIONS 48980 (K), (L); BOARD POLICY 6141.5, ADMINISTRATIVE REGULATION 6141.5. EDUCATION CODE SECTIONS 51229; BOARD POLICIES 6143, 6146.1; ADMINISTRATIVE REGULATION 6146.1

Enrollment in Course with No Educational Content or Previously Completed Satisfactorily

Beginning in the 2016-17 school year, Education Code Sections 51228.1 and 51228.2 prohibit districts from assigning a student enrolled in grades 9-12 to any “course period without educational content” for more than one week in any semester, or to any course previously completed satisfactorily unless certain conditions are met, including written parent consent.

The law does not apply to alternative schools, community day schools, continuation high schools, opportunity schools, dual enrollment in community college, evening high school programs, independent study, work-based learning or work experience education, and other courses authorized in Education Code 51700-51879.9 (e.g., community service class, correspondence course, driver training, etc.).

Any complaint that a student has been assigned to a course in violation of these laws may be addressed through the District’s Uniform Complaint Procedures. EDUCATION CODE Section 51228.3, 5 CCR 4600-4687.

Cal Grant Program

By January 1 of a pupil’s grade 11 academic year, a school district or charter school must provide written notice to each grade 11 pupil and, for a pupil under 18 years of age, his/her parent/guardian, that the pupil will be automatically deemed a Cal Grant applicant unless the pupil opts out. The deadline to opt out must not be less than 30 days from the date of the notice. Until a pupil turns 18 years of age, only a parent/guardian may opt the pupil out. Once a pupil turns 18 years of age, only the pupil may opt himself/herself out and, if prior to the conclusion of the notice period, the pupil may opt in over the prior decision of a parent/guardian to opt out. The notice must indicate when the school will first send grade point averages to the Student Aid Commission and the submission deadline of October 1. EDUCATION CODE 69432.9 –CE 69432.9

A Cal Grant is money for college that does not have to be paid back. To qualify, a student must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent and career colleges or technical schools in California also take Cal Grants. In order to assist students applying for financial aid, all students in grade 12 are automatically considered a Cal Grant applicant and each grade 12 student’s GPA will be submitted to the California Student Aid Commission (CASC) electronically no later than October 1 of each
academic year by a school or school district official. A student, or the parent/guardian of a student under 18 years of age, may complete a form to indicate that he/she does not wish for the school to electronically send CASC the student’s GPA.

**Foster youth exemption from local graduation requirements**

Foster and homeless youth are allowed educational rights, such as: immediate enrollment, remain in school of origin, enrollment in local comprehensive school, partial credits, graduation with state minimum requirements with possible fifth year/exemption from local graduation requirements, and access to academic resources, services and extracurricular activities. A local educational agency must provide a remedy to the affected pupil following the Uniform Complaint Procedures, including information regarding exemption from local graduation requirements, if educational rights are not allowed at the public high school. EDUCATION CODE 48853, 49069, and 51225.2

**WEB RESOURCES FOR UC AND CSU ADMISSIONS**

Web resources for University of California (UC) and California State University (CSU) Admissions requirements:

**www.tinyurl.com/agcertifiedcourses**
You can search for your student’s school, and this site lists all the courses offered by OUSD that have been certified to meet one of the “a-g” requirements.

**www.universityofcalifornia.edu/admissions/freshman/requirements**
This is a “one-stop shop” for everything you need to know about UC admission requirements for incoming freshmen.

**www.calstate.edu/admission**
This site provides all CSU admissions requirements for incoming freshmen.

**www.csumentor.edu/planning/high_school**
CSUMentor is an online student ‘portal’ designed to help students plan for college while they’re in high school.

**SUPPORTS TO HELP STUDENTS GRADUATE**

**GED certification** is an alternative to earning a high school diploma for students who are extremely deficient in high school credits. Classes are offered in multiple locations throughout Oakland. GED preparation programs are located at Dewey, Rudsdale and McClymonds High Schools. GED assessment and testing services are provided at McClymonds. For more information, call the Office of Adult Education at 273-2300.

**Academic Recovery** is generally summer school offered to high school students who have received a “D” or “F” grade in a core course. These courses can be used for academic credit to help students graduate on time. Applications are required to be considered for admission, and are not a guarantee of enrollment. For more information, please visit [www.ousd.org/summerlearning](http://www.ousd.org/summerlearning).

**Independent Study** is a voluntary educational option in which seventh through twelfth grade students work independently under the general supervision of a credentialed teacher. While Independent Study students follow the District-adopted curriculum and meet the District graduation requirements, Independent Study offers flexibility to meet individual interests and styles of learning. For more information, call Sojourner Truth Independent Study at 729-4308.

**Apex** is a computer-based program that allows students to earn credits toward graduation by receiving instruction and taking tests through the internet at school. Please speak with the principal or counselor at your high school for more information, or to determine how Apex is available at your school.

**Alternative Schools of Choice** are voluntary programs that adapt educational programs tailored to meet students’ individual needs. Alternative schools provide a vehicle for new methods of teaching and new ways of learning in our changing society.

- **Emiliano Zapata Street Academy** offers a highly personalized college preparatory program that specifically targets students
who have not previously done well in school. For more information call 874-3630.

- **Oakland International High School** provides an English language immersion program for immigrant and refugee students. For more information call 597-4287.

- **Gateway to College at Laney College** is a program offered on the campus of Laney College that supports 16-20 year old students who have dropped out of high school. The program provides dual enrollment for students who wish to pursue a high school diploma while concurrently working on AA degree. For more information, call 986-6941.

**Continuation Education** programs are designed to meet the needs of students 16-19 years of age who are at risk of not graduating. Continuation Schools provide an opportunity for students to earn a high school diploma and/or prepare for advancement to community college and career options.

- Dewey High School, 874-3660
- Rudsdale High School, 729-4303
- Ralph J. Bunche High School, 874-3300

**Community Day Schools** serve students under expulsion order. This program features very small class sizes, case management and counseling services, and behavior modification structures. For more information, call 531-6800.

**Home and Hospital Instruction** is designed to meet the needs of students who are medically incapable of attending traditional schools or alternative programs such as Independent Study. Upon authorization from a supervising physician, a credentialed teacher is assigned to work with the student either in the family’s home or in a regional hospital or other medical facility. For more information, call 597-4294.

**Alternative Education Enrollment**: For enrollment in Alternative Education schools and more information, please contact the Alternative Education Placement Specialist at 273-1621 and visit [www.ousd.org/enroll](http://www.ousd.org/enroll).
TRANSPORTATION SAFETY INFORMATION

Pupils transported in a school bus shall be under the authority of, and responsible directly to the driver of the bus. Continued disorderly conduct or persistent refusal to submit to the authority of the bus driver shall be sufficient reason for being denied transportation.

*California Administrative Code, Title 5, Section 14263*

School bus rules of conduct are established first and foremost to ensure that all students have a safe ride to and from the destinations. The school bus is an extension of the classroom, and appropriate behavior is expected at all times. For those who are unable to follow the established rules, a series of sanctions are applied that are appropriate to the offense. Remember, riding the school bus is a privilege, not a right.

**Tips for Walking To and From the Bus Stop & Crossing the Street**

1. Go directly to the bus stop and directly home at the end of your bus ride. Plan and use the safest route with the fewest stops.
2. If possible, cross at a signaled intersection. Always use the crosswalk. Whenever students cross any street, they must remember to stop, listen, look left, look right and look left again, and over your shoulder before crossing the street. Continue to look as you cross the street.
3. Students needing to cross the street in which the bus is stopped to load students must wait for the school bus driver to exit the bus, stop traffic and escort the students across the street in front of the bus.
4. Do not dart from between parked cars or shrubbery.
5. Students should NOT talk to strangers, or accept rides from strangers.
6. Arrive early, but no more than 10 minutes before the bus is due to arrive. Avoid running, or distractions when crossing streets or approaching the bus.
7. Be careful during times of sunrise and sunset, bad weather, and during darkness. Wear something reflective or white clothing when possible.

8. Students who are walking home from the bus stop should know how to get home without an adult escort.
9. Always let your bus driver be the first person off the bus. The driver may need to activate the bus’s “red lights” that flash on the outside of the bus. This warns cars to stop for children at each bus stop and for children crossing the street. *Never play in the street.*

**Bus Conduct & Safety Rules**

1. Students are to respect the property at the bus stop and conduct themselves in an orderly manner while waiting for the bus. As the bus arrives, students should be at least twelve (12) feet back from the bus until it has come to a complete stop and the driver has opened the bus door. Student conduct at the bus stop should be the same as required on school grounds. Actions such as littering, spitting, throwing any object, vandalism, pushing, shoving, smoking, and harassment of others will not be tolerated.
2. As required by VC 22112, when students need to cross a street or road upon which the school bus is stopped, the driver shall activate the flashing light system. When safe to do so, the drive of the school bus is required by law to escort students in grades K through 8 across the street using a hand-held stop sign. Students shall always cross the street in front of the bus, but not until they have been instructed to do so. Students will walk, not run, completely across the roadway.
3. Students shall fasten any passenger restraint systems and keep them fastened during the entire bus ride.
4. The bus driver will determine the order of students’ entrance and seating on the bus.
5. Once aboard the bus, students are to find their seats quickly and remain seated at all times, facing front while the bus is in motion. They are to stay seated until the bus comes to a full and complete stop.
6. Orderly behavior is required while aboard the bus. Abusive body contact (fighting, slapping, hitting, poking, shoving, etc.) is not permitted. Students are to talk quietly.
Shouting, yelling, boisterous behavior, horseplay, profane language, obscene gestures, or any unnecessary noise may distract the attention of the driver and therefore is prohibited for the safety of all passengers.

7. Students are to keep all body parts inside the bus at all times. Littering, vandalism, or throwing anything on or out of the bus will not be permitted.

8. Eating, drinking, and gum chewing are not allowed on the bus. No smoking is allowed on the bus at any time.

9. Animals (mammals, birds, reptiles, fish, insects, etc.), unprotected glass containers, skateboards, aerosol cans of any type, matches, lighters, radios, dangerous objects such as knives, scissors, guns or alcoholic beverages and drugs may not be carried aboard the bus.

10. Students must never open, close or tamper with any part of the bus or its equipment, unless specifically instructed to do so by the driver. Students are to stay out of the driver’s compartment unless instructed to do so by the driver, or an emergency requires a student to secure the bus.

11. Parents/guardians are liable for any damage caused by their students. Students may be subject to discipline.

12. Students are to stay out of the DANGER ZONE.

13. The DANGER ZONE is the space around the school bus. It radiates out from the school bus by 12 feet. The school bus driver cannot see students in these zones. Students are to move away from the bus door quickly and stay clear of the wheels. They are not to go after anything that rolls or falls under or in front of the bus. They are to tell the driver about it. Never reach back into the bus through the window.

Thank you for reading and understanding the information included in this pamphlet. This information has been provided to assist parents and students in understanding the necessary safety measures to insure the safe transportation of your children. Please discuss this information with your student. Please understand that your student will be responsible for abiding by these rules. Please be aware that your student’s transportation privileges may be revoked for failure to follow the information provided in this pamphlet. If you have any questions, please do not hesitate to call the Transportation Department Office at 510-879-8181.

PARENTS — PLEASE BE AWARE THAT BUSES MAY BE EQUIPPED WITH VIDEO SURVEILLANCE CAMERAS!
Resolution of the Board of Education of the Oakland Unified School District

Reaffirming District Facilities, Programs Are A Sanctuary for All Children and Adults
Resolution No. 1617-0089

WHEREAS: All students have a right to attend school free of fear, bullying and discrimination;

WHEREAS: The Board of Education embraces the diversity of our students and families and the rich language and cultural assets they bring to our District and strongly supports and encourages the participation of all parents and families in our schools;

WHEREAS: Our City and County, just like many major cities in the United States, is the home and workplace of many diverse communities, including persons of different faiths, racial and ethnic backgrounds, and varying immigration status;

WHEREAS: The 2016 presidential election has created an atmosphere of fear among immigrants, Muslims and other vulnerable groups in Oakland;

WHEREAS: Within the last few months, federal, state and local government officials throughout the country have proposed or passed laws and ordinances that propose stemming the tide of undocumented immigrants by cutting off opportunities for jobs, government benefits, housing, and imposing fines on companies employing undocumented immigrants, thereby increasing tensions in immigrant communities;

WHEREAS: Reports of potential raids by the U.S. Immigration and Customs Enforcement Office (ICE) have caused immigrant communities to fear sending and/or accompanying their children to schools and leaving their homes, even for needed medical services; and

WHEREAS: ICE activities in and around schools, early education centers, and adult school facilities would be a severe disruption to the learning environment and educational setting for students.

WHEREAS: The United States Supreme Court has ruled that public schools were prohibited from denying students access to elementary and secondary public education based on their immigration status, citing that children have little control over their immigration status, the lifelong harm it would inflict on the child and society itself, and constitutional equal protection rights;

WHEREAS: On November 8, 2016, California voters passed Proposition 58, which recognizes the value and importance of students graduating from our schools proficient in both English and one or more other languages and a diverse student population greatly helps in accomplishing this goal;

WHEREAS: While there are no accurate numbers of how many undocumented children are enrolled in our District's public schools, approximately 50% of our District's students speak a language other than English at home and approximately 50 native languages are spoken by families whose children are enrolled in our District;

WHEREAS: Reports of hate crimes directed at Muslims and others perceived as Middle Eastern or Muslim have increased in recent months;

WHEREAS: Bullying or discrimination, for any reason, is harmful to students' feelings of safety and belonging, as well as their academic success; and

WHEREAS: On January 9, 2008, the Governing Board of Education of the Oakland Unified School District enacted Resolution No. 0708-0139 entitled "Oakland Board of Education Commitment to the Education of all Immigrant Children" and the current Board of Education intends to amend, restate and re-affirm its intent with the enactment of this Resolution No. 1617-0089 C'Resolution',

NOW, THEREFORE, BE IT RESOLVED: That in response to a growing fear that reports of actual or possible ICE raids are having or will have a chilling effect on the educational rights of immigrant students and families, the Board of Education, in solidarity with
immigrant community organizations, hereby restates its position that all students have the right to attend school regardless of the immigration status of the child or of the child’s family members;

BE IT FURTHER RESOLVED: That the Board of Education states that all District students, who register for the following services and meet the federal and state criteria, are entitled to receive all school services, including free lunch, free breakfast, transportation, and educational services, even if they or their family are undocumented and do not have a social security number and that no school district staff shall take any steps that would deny students access to education based on their immigration status or any steps that would “chill” the rights of these students to public education;

BE IT FURTHER RESOLVED: That the Board recognizes that students have a need to understand history and politics, and supports the academic freedom of teachers to both teach and discuss current events with students as aligned with common core standards and OUSD Board policies;

BE IT FURTHER RESOLVED: That the Board declares its commitment that every District site be a welcoming place for all students and their families and encourages the Superintendent to increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation;

BE IT FURTHER RESOLVED: In order to provide a public education, regardless of a child’s or family’s immigration status, absent any applicable federal, state, local law or regulation or local ordinance or court decision, the District shall abide by the following:

1. District personnel shall not treat students differently for residency determination purposes on the basis of their actual or perceived immigration status and shall treat all students equally in the receipt of all school services, including but, not limited to, the free and reduced lunch program, transportation and educational instruction.

2. District personnel shall review the list of documents that are currently used to establish residency and shall ensure that any required documents would not unlawfully bar or discourage a student who is undocumented or whose parents are undocumented from enrolling in or attending school.

3. District personnel shall not inquire about a student’s immigration status, including requiring documentation of a student’s legal status, such as asking for a green card or citizenship papers, at initial registration or at any other time.

4. District personnel shall not make unreasonable inquiries from a student or his/her parents for the purpose of exposing the immigration status of the child or his/her family.

5. District personnel shall not require students to apply for Social Security numbers nor should the District require students to supply a Social Security number.

6. If parent and or students have questions about their immigration status, school personnel shall not refer them to ICE but should instead refer them to community-based and legal organizations that provide resources for immigrant families and families facing deportation.

7. Because it is the general policy of the District not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit, any request by ICE to visit a school site should be forwarded to the Superintendent’s Office for review, in consultation with District legal counsel, who, within legal boundaries, will take action to support students, families, and staff and will immediately notify the Oakland Immigrant Legal Representation and Rapid Response Network or similar organization.

8. All requests for information or documents by ICE should be forwarded to the Superintendent, who in consultation with District legal counsel, shall determine if the information and/or documents can be released to ICE.

9. If ICE comes to a school site unannounced to interrogate or take custody of a student, staff will notify the ICE agents of Board Policy 5145.13 and will make every effort to follow that Policy, as well as notify the Superintendent’s Office, who will notify the Oakland Immigrant Legal Representation and Rapid Response Network or similar organization.

10. District legal counsel, and other District personnel as designated by the Superintendent, will review the impact of changes in federal immigration laws programs such as Deferred Action for Childhood Arrivals (DACA) and work to prevent and mitigate the negative impact on both students and employees from the collection or storage of any personally identifiable information for immigration enforcement purposes.
11. District personnel will take all reasonable measures so that after school providers and other service providers that have access to student, family or employee information will also follow the actions described herein.

BE IT FURTHER RESOLVED: That the Board would like to see all OUSD-authorized schools adopt similar resolutions or take steps to ensure that their facilities and programs are also sanctuaries for immigrant, Muslim (and others perceived as Middle Eastern or Muslim) and any other vulnerable students;

BE IT FURTHER RESOLVED: That the Superintendent shall ensure that all teachers, school administrators and school and District office staff will be appropriately and adequately trained on how to implement this Resolution; and parents/guardians will receive notification in various languages of this resolution to fully inform families of their rights in the District;

BE IT FURTHER RESOLVED: That the Superintendent shall prepare an implementation plan defining partnerships with community organizations and training and support for school site employees and report back to the Board of Education within ninety (90) days of this Resolution’s enactment date and from time to time thereafter as requested by the Board of Education; and finally;

BE IT FURTHER RESOLVED: That the Board instructs the Superintendent to distribute copies of this Resolution within thirty (30) days of the Resolution’s enactment date, translated into all appropriate languages, to all school sites (including District-authorized charter school sites), and ensure that the District’s ELL Subcommittee and Site ELL Subcommittees, the Oakland Mayor’s Office, and Oakland immigrant community organizations are consulted and involved in monitoring the successful implementation of this Resolution.

PASSED AND ADOPTED this 14th day of December, 2016, by the following vote:

AYES: Roseann Torres, Shanthi Gonzales, Aimee Eng, Jumoke Hinton Hodge, Jody London, Vice President Nina Senn, President James Harris

NOES: None

ABSTAIN: None

ABSENT: None

Signed by James Harris, President of the Board of Education, Oakland Unified School District

Signed by Antwan Wilson, Secretary, Board of Education of the Oakland Unified School District

File ID Number: 16-2569
Introduction Date: 12/14/16
Enactment Number: 16-1869
Enactment Date: 12/14/16
By: OA

Resolution 1617-0089, v3 – As Amended On Floor – Adopted – 12/14/16
POLICY APPENDIX

In the following texts, “Board” and “Governing Board” refer to the Oakland Board of Education. All OUSD Board policies ("BP") and administrative regulations ("AR") referenced below can be viewed online at [www.ousd.org/boardpolicies](http://www.ousd.org/boardpolicies). As policies are continually under review, please visit [www.ousd.org/boardpolicies](http://www.ousd.org/boardpolicies) for the most up to date information.

Appendices A–D

Appendix A: Administrative Regulation 5111.1 Criteria for Residency

Prior to admission in district schools, students shall provide proof of residency. A student shall be deemed to have complied with residency requirements if he/she meets any of the following criteria: 1. The student’s parents/guardians reside within district boundaries. 2. The student is placed within district boundaries in a regularly established licensed children’s institution, a licensed foster home or a family home pursuant to a court-ordered commitment or placement. 3. The student has been admitted through the district’s interdistrict attendance program. 4. The student is an emancipated minor residing within district boundaries. 5. The student lives with a care giving adult within district boundaries. 6. The student resides in a state hospital located within district boundaries. 7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. Proof of Residency The Superintendent or designee shall retain a copy of the document or written verification offered as proof of residency. In addition, the Superintendent or designee shall annually verify the student’s residency and retain a copy of the document or written statement offered as verification. When presented with a substitute address designated by the Secretary of State for victims of domestic violence or stalking residing within district boundaries, the Superintendent or designee shall accept and use the substitute address for all future communication and correspondence and in all public records. If any district employee reasonably believes that the parent/guardian of a student has provided false or unreliable evidence of residency, the Superintendent or designee shall make reasonable efforts to determine whether the student meets legal residency requirements.

7/14/04

Appendix B: Administrative Regulation 5116.1—Intradistrict Open Enrollment

The Intradistrict Open Enrollment window allows all students in program improvement, corrective action or restructuring schools an opportunity to transfer to another OUSD school. The application for Intradistrict Open Enrollment allows for specific mention of this provision. Within a reasonable amount of time, not to exceed 10 days after notification that a student becomes the victim of a violent criminal offense while on school grounds, the student’s parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. The Superintendent or designee shall consider the student’s needs and parent/guardian preferences in making the school assignment. If the parents/guardians choose to transfer their child, the transfer shall be completed as soon as practicable. After learning that a school has been designated as “persistently dangerous,” within a reasonable amount of time, the Superintendent or designee shall notify parents/guardians of the school’s designation and of their option to transfer. The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian’s preference if the assignment is not feasible due to space constraints or other considerations. Upon assignment, the transfer shall be completed as soon as possible. If parents/guardians decline the assigned school, the student may remain in his/her current school. This temporary transfer shall remain in effect as long as the student’s school of origin is identified as “persistently dangerous.” Pursuant to district policy, all siblings have the priority to attend the school that their sibling is currently attending in order to keep families together. Pre-K, 5th grade and 8th Grade families must participate in the Intradistrict Open Enrollment process for the following year by completing an application for their neighborhood schools within the open enrollment window. Upon assignment, they must confirm their enrollment at the school site by the May confirmation date or forfeit their assignment. Priority is given first to students who already have a sibling attending the school. Second priority is given to neighborhood residents. Any schools that have available space after these priorities can receive additional students from outside of the neighborhood through the Intradistrict Open Enrollment process. Intradistrict Open Enrollment priorities will be considered after the siblings of the school’s existing students, residents without siblings who live in the neighborhood and residents who reside within an elementary school’s mega boundary as defined by Board policy who have been redirected from their overcrowded neighborhood school. To implement Intradistrict Open Enrollment pursuant to Education Code 51605: 5. Pre-K, 5th grade, 8th grade students/families and those who wish to change schools complete applications during the Intradistrict Open Enrollment window. Our process emphasizes siblings first. The Superintendent or designee shall identify those schools, which may have space available for additional students for the following school year. A list of these schools and open enrollment applications shall be available online and at the Student Assignment Center during the Intradistrict Open Enrollment Window period. 3. Students of parents/guardians who submit applications to the district shall be considered for admission to their school of choice the following school year under the district’s open enrollment policy. 4. If the number of applicants exceeds the number of available spaces, a lottery process from the eligible applicant pool shall determine enrollment in a school of choice. The lottery will prioritize neighborhood and non neighborhood siblings first, neighborhood students without siblings second, students residing within the elementary school’s mega boundary as defined by Board policy who have been re-directed from their overcrowded neighborhood school, PI status of the student’s neighborhood school and random lottery for remaining applicants. 5. The Superintendent or designee shall inform applicants by mail their assignments from the lottery. The Student Assignment Center will manage the appeal process. Students can be placed on a waitlist by appealing after the lottery. Students will only be placed on a waitlist if he/she lives in the neighborhood, has a sibling at the school, or has other extenuating circumstances that will be handled on a case by case basis. Those who appeal will be informed of their approval, denial or waitlisted status within three weeks. After the enrollment confirmations occur in May at the school sites, students on a waitlist will be placed at their desired school as space becomes available. 6. Late applications, including transfer requests after the open enrollment window, for the following year will be treated within the appeal process. Transfer requests for documented safety reasons, family relocation, or PI status during the academic year will be handled by the Student Assignment & Bilingual Testing Office pursuant to Board Policy. All other transfer requests will be determined by the school’s supervising Network Executive Officer. 7. Assigned applicants must confirm their enrollment by registering at their assigned school within the published May specified timeframe. Failure to do so will forfeit their assignment and allow placement of those active on the waitlist. Once enrolled, a student shall not be required to apply for readmission. Any complaints regarding the selection process shall be submitted to the Superintendent or designee. G/52/60A

Appendix C: Board Policy 5116.1 Open Enrollment

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of District students and parents/guardians, while also maximizing the efficient use of District facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation. The Board shall annually review this policy. (Education Code 35160.5, 48980)

The Superintendent or designee shall calculate each school’s capacity in a
non-arbitrary manner using student enrollment and available space. (Education Code 35160.5) In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for Open Enrollment shall be submitted timely within the District’s Open Enrollment Options window which is typically between early December and mid-January of the school year preceding the school year for which the transfer is requested and can be found on the District’s website at www.ousd.org/enroll or by calling the District’s Welcome Center at 510-273-1600.

Enrollment decisions shall not be based on a student’s academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

I. Neighborhood School Priority

Attendance boundaries are established by the Governing Board. A family’s permanent residence falls within the geographic boundaries of an elementary, middle and high school within the District, and these schools are referred to as the “neighborhood schools” for that location. The neighborhood schools for a particular residential address can be found at www.ousd.org/schoolfinder or by calling the District’s Welcome Center at 510-273-1600.

No student shall be displaced from his or her neighborhood school by another student transferring from outside the neighborhood school/attendance boundary area. (Education Code 35160.5) (cf. 5116 - School Attendance Boundaries)

II. Intra-District Transfers Outside Neighborhood Schools

The parents/guardians of any student who resides within District boundaries may apply to enroll their child in any District school, regardless of which schools are identified as their “neighborhood schools” or the location of their residence within the district. (Education Code 35160.5) The Superintendent or designee shall grant priority to any District student to attend another District school outside of his/her attendance area as follows:

A. FAMILY PRIORITIES

1. In recognition of the Governing Board’s stated policy goal of keeping families and siblings together, siblings of students who are enrolled in the school and who will be enrolled in the school concurrently with their sibling in the same school the following year. (Education Code 35160.5)
2. When a parent/guardian’s primary place of employment is at a school site, their child will be granted enrollment priority to attend the school at which their parent/guardian works, a school physically adjacent to their parent/guardian’s school site, or on the same campus as their parent/guardian’s school site.

B. SAFETY TRANSFERS

These priorities ensure that students may transfer out of their neighborhood school to a different District-school under the circumstances listed below. Although a family’s school preferences will be considered in selecting a school, these priorities do not guarantee a particular school.

1. Any student enrolled in a district school designated by the California Department of Education as “persistently dangerous” (20 USC 7912; 5 CCR 11992) (cf. 0450 – Comprehensive Safety Plan)
2. Any student who is a victim of a violent crime while on school grounds (20 USC 7912)
3. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5) (a) A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official, social worker, or a properly licensed or registered professional such as a psychiatrist, psychologist, or marriage and family therapist or (b) A court order, including a temporary restraining order and injunction

C. Prioritization In High-Demand Schools

In some circumstances, the number of students seeking to enroll in a school will exceed the available space in the school. Students with a parent/guardian with a permanent residence within the City of Oakland shall have priority over non-residents.

III. Lottery

All other enrollment requests into District schools shall be subject to a lottery. Except for priorities listed above (neighborhood, family, safety transfer ensuring an alternative placement, Oakland residency), the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school’s capacity. (Education Code 35160.5)

7/14/04; 8/9/06A; 6/25/08A; 10/11/17A

Appendix D: Board Policy 5117 — Interdistrict Attendance

The Governing Board recognizes that students who reside in one district may choose to attend school in another district and that such choices are made for a variety of reasons. The Board desires to communicate with parents/guardians and students regarding the educational programs and services that are available. 7/14/04

Appendix E: Board Policy 6020 Parent Involvement

PART I. GENERAL EXPECTATIONS

The district shall implement the following statutory requirements: The school district will put into operation programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children. Consistent with section 1118, the school district will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of section 1118(b) of the ESEA, and each include, as a component, a school- parent compact consistent with section 1118(d) of the ESEA. The school district will incorporate this district wide parental involvement policy into its LEA plan developed under section 1112 of the ESEA. In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand. If the LEA plan for Title I, Part A, developed under section 1112 of the ESEA, is not satisfactory to the parents of participating children, the school district will submit any parent comments with the plan when the school district submits the plan to the State Department of Education. The school district will involve the parents of children served in Title I, Part A schools in decisions about how the 1 percent of Title I, Part A funds reserved for parental involvement is spent, and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools. The school district will be governed by the

Oakland Unified School District
Student & Family Handbook 2018-19
following statutory definition of parental involvement, and expects that its
Title I schools will carry out programs, activities and procedures in
accordance with this definition: Parental involvement means the
participation of parents in regular, two-way, and meaningful communication
involving student academic learning and other school activities, including
ensuring: (A) that parents are valued for integral part in development of
child’s learning; (B) that parents are encouraged to be actively involved in
their child’s education at school; (C) that parents are full partners in their
child’s education and are included, as appropriate, in decision-making and
on advisory committees to assist in the education of their child; (D) the
carrying out of other activities, such as those described in section 1118 of
the ESEA.

PART II. DESCRIPTION OF HOW DISTRICT WILL IMPLEMENT REQUIRED
DISTRICT WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS

1. The district will take the following actions to involve parents in the joint
development of its district wide parental involvement plan under section
1112 of the ESEA: Engage with parents on the District Advisory Council in
the evaluation of the district wide parental involvement plan, and in any
necessary revisions or additions to the plan. Engage with parents on the
District English Learner Committee in the evaluation of the district wide
parental involvement plan, and in any necessary revisions or additions to the
plan. Engage with parents at schools at meetings organized by
Principals, Family Engagement Coordinators, School Site Councils, English
Learner Advisory Committees, PTAs, Parent Leadership Teams, family
centers, and other parent leaders. Engage with parent leaders of
community based organizations that have parent constituencies 2. The
district will take the following actions to involve parents in the process of
school review and improvement under section 1116 of the ESEA: Actively
recruit and support parents to authentically participate on School Site
Councils and English Learner Advisory Committees. Support PTAs and other
parent groups to engage parents in promoting increased academic
achievement. Provide opportunities for parent learning that builds
understanding and capacity of parents to be involved in the process of
school review and improvement. Construct SSC Summit to provide additional
support to SSCs of program improvement schools with involvement of
parents in school review and improvement. Share information on each
school’s progress in meeting all accountability measures. Provide leadership
development opportunities for parents, including annual training on
budgets and budget development. The annual training may be provided at
the school site, the Regional level or parent engagement conferences. Use
district communication tools (e.g. OUSD website) to publicize information
about NCLB, required notifications, and LEA addendum 3. The district will
provide the following necessary coordination, technical assistance, and
other support to assist Title I, Part A schools in planning and implementing
effective parental involvement activities to improve student academic
achievement and school performance: The California School Parent Survey
shall be used to help identify the specific needs for support in planning and
implementing effective parental involvement activities to improve student
achievement. District SSCs and ELACs will provide additional feedback on
parent involvement needs at the sites. The SSCs and ELACs are encouraged to
track in meeting minutes recommendations for additional parental
involvement and engagement. The SSC and ELAC, with the site
administrators shall develop strategies to encourage parents/guardians to
sign and return the School Parent Compact required by the Community
Schools Strategic Site Plan (“CSSSP”). The School Parent Compact shall be
available for signing at all school events and activities, including Back to
School night. The signed compacts shall be maintained by the school for
the current school year. Provide training for SSC, ELAC, DAC, and DELAC
members Provide opportunities for learning and professional development
for school based family engagement staff on planning and implementing
effective parental involvement activities to improve student achievement
Develop a learning community for school based family engagement staff
that promotes collaboration and coordination Prove training for site
based administrators Develop materials and resources to support schools
Provide support to schools in developing parent centers by developing a
centralized comprehensive family center, and by incubating a network of
satellite family centers in the district will coordinate and integrate parental
involvement activities in Part A and with parental involvement
strategies under the following programs: Early Reading First Reading First 5.
The district will take the following actions to conduct, with the involvement of
parents, an annual evaluation of the content and effectiveness of this
parental involvement policy in improving the quality of its Title I, Part A
schools. The evaluation will include identifying barriers to greater
participation by parents in parental involvement activities (with particular
attention to parents who are economically disadvantaged, are disabled,
have limited English proficiency, have limited literacy, or are of any racial or
ethnic minority background). The district school will use the findings of the
evaluation about its parental involvement policy and activities to design
strategies for more effective parental involvement, and to revise, if
necessary (and with the involvement of parents) its parental involvement
policies. Review relevant data from the district wide parent survey, School
Portfolio Manager’s census of schools, ongoing assessments and
evaluations of implementation activities, family engagement sections of
school site plans, etc. Engage with parents about the effectiveness of family
engagement practices and activities in schools, at meetings organized by
Principals, Family Engagement Coordinators, School Site Councils, English
Learner Advisory Committees, PTAs, Parent Leadership Teams, family
centers, etc. District must provide translation services, as provided in Board
Policy 5124 and Administrative Regulation 5124 at parent/community
meetings. The district and school sites must provide all appropriate
documentation in all the standard languages. Training for the principal, SSC,
ELAC, and all other interested parents on categorical funds. The
documentation of this training shall be included in the current school site
plan (CSSSP). Encourage the signing of the School Parent Compact to
support parent/ guardian involvement and engagement. Encourage and
support parent volunteers at school sites and include in the annual parent
guide a statement about the need for parent volunteers. Participate in the
Annual Evaluation of the district Parent Involvement Policy, coordinate
the collection and reporting of all district advisory group evaluations by
the District Advisory Council (DAC) for compensatory education programs.
Participate in the revision of the district Parent Involvement Policy, as
needed, according to evaluation results. Conduct District Advisory Council
(DAC) review of programs in the Consolidated Application with input for
district consideration 6. The district will build the schools’ and parent’s
capacity for strong parental involvement, in order to ensure effective
involvement of parents and to support a partnership among the school,
involved parents, and the community to improve student academic
achievement, through the following activities specifically described below: A.
The school district will, with the assistance of its Title I, Part A schools,
provide assistance to parents of children served by the school district or
school, as appropriate, in understanding topics such as the State’s academic
content standards, the State’s student academic achievement standards,
the State and local academic assessments including alternate assessments,
the requirements of Part A, how to monitor their child’s progress, and how
to work with educators by undertaking these activities:

District wide Parent Leadership Conference, including information
pertaining to Title I Workshops for families such as: Understanding School
Score Cards, Understanding Results Based Inquiry, Understanding the
Standards Based Report Card, Learn to Read Your Child’s Transcript, etc. To
help parents understand the State content standards, district policies,
and the Parents’ Rights and Responsibilities. Participate in the
Parent Friendly Standards (K-12) workshops, curriculum, and materials,
including workshops on the Common Core curriculum and the Local Control
Funding Formula. B. The school district will, with the assistance of its
school, provide materials and training to help parents work with their
children to improve their children’s academic achievement, such as literacy
training, and using technology, as appropriate, to foster parental
involvement, by: Developing and offering programs such as Family Math
Nights, Reading Nights, Family Literacy Programs, etc. Providing families
with information and materials about how to work with their children to
improve academic performance at events such as Back to School Nights and
Open Houses. Provide materials and training to help parents work with
their children on student goal setting. C. The school district will, with the
assistance of its schools and parents, educate its teachers, pupil services
personnel, principals and other staff, in how to reach out to, communicate
with, and work with parents as equal partners, in the value and utility of
contributions of parents, and in how to implement and coordinate parent
programs and build ties between parents and schools, by: 1. Developing a
curriculum and offering training for district and school site staff about how
to engage families to increase academic achievement 2. Producing and
disseminating learning materials for families and parents with parental
involvement strategies under: Normalizing family engagement as part of the
discourse on improving academic achievement at schools 4. Recognizing and publicizing OUSD
family engagement successes and its impact on student achievement 5.
Assisting parents in supporting literacy activities at home, e.g. understanding district programs such as Open Court Reading. D. The school district will take the following actions to ensure that information related to the school and parent- programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand: Translation Center BCLAD teacher to document 10 hours of service at schools 15% or more students are English Learners PART III. DISCRETIONARY DISTRICT WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS The district recognizes that in the context of the rich diversity of our city, families from all racial, ethnic, cultural, economic, and educational backgrounds share common ground in being involved in their children’s learning, and in wanting their children to succeed in school and in life. Families can and do have a positive influence on their children’s learning. Families can and do influence achievement by holding schools and school districts accountable for high performance. To achieve academic success for all students, we must tap the power of the family. 1. The district and the schools within the district will provide families across the grades levels, from preschool through grade 12, with a broad range of opportunities for involvement, including in advocacy roles, leadership roles, and in learning. Advocacy: families participate in sharing responsibility to advance learning and solve problems concerning an individual child’s education Academic success for all children in the school Leadership: parents and caregivers motivate and support other people to work collectively to bring about school improvement and raise achievement, including in school governance, grant proposal leadership and shared decision making. Learning: learning for the whole family that empowers parents and caregivers to boost student achievement Action oriented adult learning: Parents and caregivers are actively learning to become effective advocates and leaders Student learning: Parent and caregivers engage with students in activities and practices at home that promote student learning throughout the school-aged years Participants in the School Community: Families attend broad school events and lend a helping hand 2. Every school will address Family Engagement and name particular strategies in its Single Plan for Student Achievement (SPSA), outlines programs that are comprehensive, well-planned, and long-lasting. Comprehensive Have explicit connections to learning plan goals Contain a variety of engagement activities and practices Reach out to diverse families; provide translation of materials, meetings, and other communication into home languages Well-planned Identify specific measurable goals that are monitored informed and guided by cycles of inquiry Be grounded in research and relevant school data Long-lasting Create permanent structures to support engagement Align with a long term commitment and vision for family engagement Sustain existing parent leadership and plan for new parent leadership 3. The Board of Education recognizes the importance of administrative leadership in setting expectations and creating a climate conducive to family engagement. The district and the schools within the district will strive to create, grow, and sustain a relational culture focused on learning with a common vision about academic success for every student, and a commitment among parents and caregivers, school staff, and community members to share responsibility and hold one another accountable for achieving that vision. We will strive to create trusting collaborative relationships in the school. With respect to parents and caregivers, the school will be inviting and welcoming of them respect their concerns honor their contributions We will recognize, respect and address: Needs of the families and community Differences in socioeconomic class, and the social dynamics and power imbalances these differences create Differences in race/ethnicity/nationality/culture/ language and the social dynamics and power imbalances these differences create We will share power and responsibility with families 4. The district will provide professional development opportunities for staff and technical assistance to schools to enhance understanding and effectiveness of family engagement practices. 5. The district and the schools within the district will be guided by the Community Plan for Accountability in Schools (ComPAS) Standards in planning, implementing, and assessing Family Engagement programs and activities. ComPAS Standards 1. We will ensure that every student has learning opportunities that promote cultural responsiveness and security. 2. We will ensure that every student and family is informed and can choose the educational programs that meet their needs. 3. We will ensure that every student and family has timely access to data about performance and satisfaction and provides input into key school and district priorities and decisions used to make improvements in their school community. 4. We will ensure that students participate actively in multi-generational learning communities and have in their lives adults who pursue individual development and continued learning opportunities. 5. We will ensure that every student has a rigorous, personalized and fulfilling academic experience. 6. We will ensure that every student learns in an environment that builds resiliency, where there are high expectations, caring and supportive conditions, and meaningful opportunities for all to participate. 7. We will ensure that there is clear, direct and timely communication and space for members of the school community to engage in meaningful and productive dialogue. 8. We will ensure that every student has access to nutritious meals, clean learning environments, mental and physical health support, physical education and adults who support healthy, sustainable living. 9. We will ensure that every student is safe at school, and has safe passage to and from school and in the neighborhood surrounding the school. In the end, our vision is that every parent and caregiver in Oakland has a voice and decisionmaking power in their child’s education; that families and teachers work together towards their child’s achievement; that families understand what their child is being held accountable for and by when; and that we are holding families accountable for their role as they hold us to our ultimate. Ultimately, we want parents and caregivers to truly have co-ownership of our schools so that together they can help our children become successful and healthy adults. PART IV. ADOPTION This district wide Parental Involvement Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs, as evidenced by: District Advisory Council meetings Presentations and discussions at school sites - School Site Council meetings, English Learner Advisory Committee meetings, PTA meetings, Parent Leaders meetings, Special Education Parents meetings District English Learner Committee meeting. 1/15/14

Appendix F: AR 1250 - Visitors/Outsiders At Oakland Unified School District, the safety of students and staff is essential. School site administrators are to ensure that all exterior gates and doors are locked at the beginning of classes and remain locked until the end of the school day. Only the entrance to the schools shall remain open during the school day and will be monitored at all times. The Superintendent or designee shall post at every entrance to each school and school grounds a notice setting forth visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Penal Code 627.6) For the purpose of this regulation, a “Visitor” shall mean all people entering a school site except for site staff and students. A parent or volunteer shall be considered a “Visitor” regardless of their duration on school grounds or the frequency of their visits.

Visitor’s Policy All visitors shall: 1. Immediately comply with the school’s registration policy when entering school grounds. 2. Comply with any school policy concerning classroom visitation, including but not limited to obtaining prior permission from the principal/designee. 3. Enter and exit classrooms as quietly as possible. 4. Refrain from talking to students or staff during instructional time. 5. Refrain from any conduct that interferes with school activities. 6. Limit the length and frequency of classroom visits to a reasonable amount (to be determined by the activity being observed). 7. Comply with the school’s established procedures for scheduling a follow up appointment with the teacher(s) and/or principal/designee after the classroom visit, if needed. 8. Return the Visitor’s Permit, if applicable, before leaving the campus.

Visitor’s Rights Visitors have the right to: 1. Be informed in advance of the procedures for visiting the school.
2. Request and obtain approval of the principal/designee to enter a school campus.
3. Observe the classroom(s) in which their child is enrolled, within a reasonable period of time, after making a request.
4. Observe the classroom(s) for the purpose of selecting the school in which their child will be enrolled, within a reasonable period of time after making the request.
5. Request a meeting with the classroom teacher and/or school principal/designee following the observation; and,
6. Meet with their child’s teacher(s) and/or the school principal/designee, within a reasonable period of time after making a request.

Visitors DO NOT have the right to:
1. Disrupt instructional time, extra-curricular activities, cause disorder, or otherwise disrupt the normal operations of the school.
2. Use any electronic listening or recording device in any classroom of the elementary and secondary schools without the prior consent of the teacher and the principal of the school. Any person who willfully violates this rule may be guilty of a criminal misdemeanor (Education Code section 51512 and BP 1250).

Registration Procedure
1. All campus visitors must have the consent and approval of the principal/designee.
2. In order to register, visitors shall, upon request, furnish the principal or designee with the following information:
   1. His/her name, address and occupation
   2. His/her age, if less than 21
   3. His/her purpose for entering school grounds
   4. Proof of identity
   5. Other information consistent with the purposes of this chapter and with provisions of law (Penal Code section 627.3)
3. Then, complete a Visitor’s Permit and obtain the principal’s approval before proceeding to the classroom.
4. Request a meeting with the classroom teacher and/or school principal following the observation.
5. Meet with their child’s teacher(s) and/or school principal within a reasonable time after making a request.

Denial of Registration
The principal or designee may refuse to register any outsider if he/she reasonably concludes that the outsider’s presence or acts would disrupt the school, students, or employees; would result in damage to property; would result in the distribution or use of a controlled substance; or would inflict bodily injury upon any person. The principal or designee or school security officer may revoke an outsider’s registration if he/she has a reasonable basis for concluding that the outsider’s presence on school grounds would interfere or is interfering with the peaceful conduct/operation of the school or would disrupt or is disrupting the school, students or staff. (Penal Code 627.4)
(cf. 3515.2 - Disruptions)

The principal or designee may request that an outsider who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform the outsider that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

Appeal Procedure
Any person who is denied registration or whose registration is revoked may appeal to the principal or Network Superintendent by submitting, within five days after the person’s departure from school, a written request for a conference. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the notice may be sent. Upon receipt of the request for a hearing, the principal or the Network Superintendent shall promptly mail a notice to the person requesting it. A conference with the principal or Network Superintendent shall be held within seven days after receipt of the request. (Penal Code 627.5)
(cf. 1312.1 - Complaints Concerning District Employees)
7/14/04; 6/28/17A

Appendix G: BP 1250 - Community Relations

Visitors/Outsiders
The Governing Board encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during noninstructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register immediately upon entering any school building or grounds when school is in session.

For purposes of school safety and security, the principal or designee may design a visible means of identification for visitors while on school premises.

No electronic listening or recording device may be used by students or visitors in a classroom without the teacher and principal’s permission. (Education Code 51512)
(cf. 5144 - Discipline)
7/14/04

Appendices H, I

Appendix H: BP 5145.7 Sexual Harassment

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board acknowledges that complex societal and historical factors may contribute to inequality within the district and that sexual harassment devalues all students, undermines students’ physical safety, impedes students’ ability to learn, and reinforces social inequality. The Board is committed to eliminating sexual harassment and repairing the harm it causes. The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. 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.

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 to immediately contact his/her teacher, the principal, or any other available school employee. The district will take immediate steps to stop harassment and protect the safety and well-being of reported victims of sexual harassment, including interim measures during the investigation as appropriate. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer.

Prohibited sexual harassment is unwelcome sexual conduct that may include, but is not limited to, sexual violence, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)
1. Submission to the conduct is explicitly or implicitly made a term or condition of a student’s academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student’s academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual’s body, unwanted sexual comments or questions, or overly personal conversations
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class or activity
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual’s body or clothes in a sexual way
9. Impeding or blocking an individual’s movements or any physical interference with school activities when directed at an individual on the basis of sex or gender expression
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Sexual violence which is the perpetration of a sexual act on a person without their affirmative consent
13. Electronic communications containing comments, words, or images described above.

Sexual harassment is prohibited on all campuses and at all school-sponsored programs and activities. Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 5131 - Conduct)  
(cf. 5131.2 - Bullying)  
(cf. 5137 - Positive School Climate)  
(cf. 5141.4 - Child Abuse Prevention and Reporting)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall take appropriate actions to reinforce the district’s sexual harassment policy.

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained
4. A clear message that student safety is the district’s primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant’s noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, of which school employees become aware of through any means, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effects on students
6. Information about the district’s procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable
8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Disciplinary Actions

Upon investigation of a sexual harassment complaint, any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion (Due Process)  
(cf. 5144.2 - Suspension and Expulsion (Due Process (Students with Disabilities))

Upon investigation of a sexual harassment complaint, any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.

(cf. 4117.4 - Dismissal)  
(cf. 4117.7 - Employment Status Report)  
(cf. 4118 - Suspension/Disciplinary Action)  
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
(cf. 419.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

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

(cf. 3580 - District Records)

8/25/04; 3/25/15A; 6/14/17A

Appendix I: Administrative Regulation 5145.7 Students Sexual Harassment

All students have the right to attend school free from sexual harassment.
The district is committed to eliminating sexual harassment and repairing the harm it causes to individuals and to school communities through age-appropriate preventative and responsive strategies that empower victims of harassment, ensure school safety, and support positive behavioral change.

The district designates the following individuals as the responsible employee to coordinate efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to facilitate the investigation and resolution of sexual harassment complaints under AR 1312.3- Uniform Complaint Procedures.

Ombudsperson
Office of the Ombudsperson
1000 Broadway, 1st Floor, Suite 150
Oakland, California 94607
PHONE (510) 879-4281
FAX (510) 879-3678

Prohibited sexual harassment is unwelcome sexual conduct that may include, but is not limited to, sexual violence, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, physical, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

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

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual’s body, unwanted sexual comments or questions, or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class or activity
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual’s body or clothes in a sexual way
9. Impeding or blocking an individual’s movements or any physical interference with school activities when directed at an individual on the basis of sex or gender expression
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Sexual violence which is the perpetration of a sexual act on a person without their affirmative consent
13. Electronic communications containing comments, words, or images described above

Sexual violence is the most extreme form of sexual harassment. Sexual violence is the perpetration of a sexual action on a person without their affirmative consent. “Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a relationship between persons involved, or past sexual relations between them, should never by itself be an indicator of consent.

Sexual harassment is prohibited on all campuses and at all school-sponsored programs and activities. Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

Reporting Process and Complaint Investigation and Resolution

Any student who believes that they have been subjected to sexual harassment by another student, an employee, or third party who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, or other available school employee. Upon receipt of such a report, within one day of receiving a report of harassment, the school employee shall forward the report to the principal and the district’s compliance officer. Each site shall identify a person responsible for addressing sexual harassment complaints. This person may be the site principal or their designee and shall receive training. In addition, any school employee who observes an incident of sexual harassment involving a student shall report their observation to the principal and district compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the principal or their school site designee shall access whether the conduct may or has created(d) or contribute(d) to the creation of a hostile school environment. If the principal or their designee determines that a hostile environment may be or has been created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred on campus.

When a verbal or informal report of sexual harassment is submitted, the principal shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the district’s uniform complaint procedures. Formal written complaints filed under the district’s uniform complaint procedures will be resolved consistent with AR 1312.3.

Regardless of whether a formal complaint is filed, the principal or their school site designee shall take steps to investigate allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, the principal shall forward the report to the district’s compliance officer. The principal or their site designee shall initiate investigation of the complaint.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted to the Superintendent or designee who shall determine who will investigate the complaint.

Intake Meeting

Within one day of receiving a report of harassment or otherwise becoming aware of harassment, employees must inform the designated school site staff member and the district compliance officer. Upon receiving a report of harassment or becoming aware of harassment, the designated school site officer or their designee shall immediately schedule an intake meeting with the student(s) reportedly harassed. If requested by the student(s) or required by law, the designated school site officer shall inform their parent(s) or guardian(s) of the report and invite them to attend the scheduled intake meeting. In all cases, the student(s) shall be informed that they may bring a support person of their choice with them to the meeting. If a student requests that another student act as their support person, that student shall be excused from class or required activities to enable them to attend the intake meeting. A student may request to reschedule the intake meeting to a later date to enable their support person to attend.
At the intake meeting, the student will be informed that:

1. the district will take immediate steps to protect the safety and emotional well-being of the reporting student(s);
2. inform the student(s) that they may file a formal written complaint in accordance with the district’s uniform complaint procedures, and the time limit for filing a uniform complaint;
3. explain that complaints and allegations of sexual harassment will be kept confidential except as necessary to carry out the investigation or take other necessary action;
4. explain the circumstances under which the school site officer would be required to make a report to the Department of Children’s and Family Services and/or law enforcement;
5. inform the student that retaliation for making a report or participating in an investigation of sexual harassment is prohibited, and how to report any retaliation they experience;
6. explain that after the complaint is investigated, the school site officer will make a recommendation regarding how to proceed and that, to the extent permitted by law and district policy, the student(s) may have input into that decision;
7. ask the student to explain in their own words what occurred, how it has affected them, and what they need to feel safe at school;
8. inform the student that they may present additional evidence, or information leading to evidence, at any time during the investigation.

If a student requests that their name be kept confidential from the alleged harasser, the school site officer shall explain that such a request may limit the District’s ability to investigate the complaint and stop the harassment.

The school site officer shall also explain that the District cannot keep the reporting student’s name confidential from the alleged harasser if doing so would undermine the district’s ability to ensure a safe and nondiscriminatory environment for all students, including the reporting student.

Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the school site designee or compliance officer shall inform the complainant or victim that the request may limit the District’s ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while providing a safe and nondiscriminatory environment for all students.

Response Pending Investigation/Interim Measures

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the individuals involved in separate classes, transferring a student to a class taught by a different teacher, separation of reported victim/complainant and reported harasser, security measures, emotional and psychological support, or other academic accommodations, as appropriate, in accordance with law and Board policy. The school should notify the victim/complainant of their options to avoid contact with the alleged harasser and allow the victim/complainant to change academic arrangements, as appropriate, in accordance with law and Board policy. The school shall make the complainant/victim aware of resources and assistance that are available.

The district is responsible for determining how to resolve complaints. If it is determined that a violation of the district’s sexual harassment policy has taken place, the district may utilize resolutions that target eliminating the harassment, prevent its recurrence, and repair the harm caused by the harassment. The district shall assess whether corrective and preventative action should be taken not only on an individual level, but on a schoolwide or districtwide level.

Prompt and Equitable Investigation Process

In determining whether a violation of the sexual harassment policy has taken place, the district shall apply a “preponderance of the evidence” standard. This standard is met if the allegation is more likely to be true than not.

In determining whether sexual conduct was welcome or unwelcome, the district shall use an “affirmative consent” standard, as defined above. The district shall not consider the past sexual history of the reported victim in making their determination except to the extent it relates to a prior relationship with the alleged harasser.

In conducting the investigation, the school site officer or their designee shall collect all available documents and review all available records, notes, or statements related to the complaint. The school site officer may visit any reasonable accessible location where the actions are alleged to have taken place. The school site officer shall interview all available witnesses, including the alleged harasser(s), with information relevant to the complaint. Interviews shall be conducted in a confidential manner. After interviewing the alleged harasser, the school site officer shall provide the reporting student with an additional opportunity to submit evidence or make a statement in response.

The school site officer shall investigate not only whether the conduct alleged occurred, but also its effect on the reporting student’s experience of school, including but not limited to any effect on their ability to concentrate in class, grades, participation in activities, and ability to move freely around campus.

In making their factual findings and determination, the school site officer may take into account the factors set forth in AR 1312.3, Uniform Complaint Procedures. These are:

a. Statements made by any witnesses;
   b. The relative credibility of the individuals involved;
   c. How the complaining individual reacted to the incident;
   d. Any documentary or other evidence relating to the alleged conduct;
   e. Past instances of similar conduct by any alleged offenders;
   f. Past false allegations made by the complainant.

The school site officer shall inform the student of their decision as soon as practicable, and explain to the student the reasons for their decision.

The results of the investigation shall be included in a Final Written Decision. The Final Written Decision shall include the findings of fact based on the evidence gathered, the school site officer’s or designee’s conclusion as to whether a violation of the Sexual Harassment Policy took place, and if a uniform complaint has been filed. To determine whether a hostile educational environment, in violation of district policies, has been created, the school site officer shall consider the factors set forth in AR 1312.3(h)(a)-(f). The Recommended Final Decision shall also include the corrective action(s) to be imposed.

The school site officer’s Recommended Final Written Decision shall be based on their independent assessment of all of the relevant circumstances, including but not limited to the age of both students, the severity of the harassment, the impact of the harassment on the victim, and whether any previous complaints have been made regarding the harassing student’s behavior.

The Final Written Decision shall inform the victim of their right to appeal the Final Written Decision to the district’s compliance officer within five calendar days of its receipt. An appeal taken to the district’s compliance
The Superintendent or designee shall take appropriate actions to reinforce the district’s sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
   (cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond
   (cf. 4131 - Staff Development)

3. Use of restorative processes at the site level to eliminate harassment, prevent recurrence, and repair the negative impacts on site culture and climate, when appropriate.

4. Disseminating and/or summarizing the district’s policy and regulation regarding sexual harassment

5. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school’s response to parents/guardians and the community
   (cf. 4119.23 - Unauthorized Release of Confidential/Privileged Information)
   (cf. 5125 - Student Records)

6. Taking appropriate disciplinary action against harassers consistent with the law and Board policy
   (cf. 4118 - Suspension/Disciplinary Action)
   (cf. 4218 - Dismissal/Suspension/Disciplinary Action)
   (cf. 5144.1 - Suspension and Expulsion/Due Process) (Students with Disabilities)Notifications

A copy of the district’s sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year. (Education Code 48980; 5 CCR 4917)
   (cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted. (Education Code 231.5) The identity of the site personnel responsible for investigating complaints of sexual harassment shall be posted in a prominent location at each site.

A copy shall be posted on the district’s website along with the district board policies and administrative regulations.

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session. (Education Code 231.5)

4. Appear in any school or district publication that sets forth the school’s or district’s comprehensive rules, regulations, procedures, and standards of conduct. (Education Code 231.5)

8/25/04; 10/26/11A; 06/14/17A

Appendices J and K
or by means of an electronic act that relates to school activity or attendance occurring under the jurisdiction of the school district’s superintendent, including off-campus and/or electronic acts: c. Prohibition of discrimination, harassment, intimidation, and bullying on the basis of actual or perceived protected characteristic, including without limitation, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation or association with person or group with one or more of the actual or perceived characteristics; and d. Compliance with the E-rate requirements of the Children’s Internet Protection Act. Following receipt of this training, the student will acknowledge that he/she received the training, understand it, and will follow the provisions of the District’s acceptable use policies. Before using the district’s on-line resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district responsible and shall agree to indemnify and hold harmless the district and all district personnel for the failure of any technology protection measures, violations of copyright restrictions, users’ mistakes or negligence, or any costs incurred by users. Staff shall supervise students while they are using on-line services and may ask teacher aides and student aides to assist in this supervision. In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee shall regularly review this policy, the accompanying administrative regulation and other procedures. He/she shall also monitor the district’s filtering software to help ensure its effectiveness. 6/14A

Appendix K: Administrative Regulation 6163.4 - Student Use of Technology

The principal or designee shall oversee the maintenance of each school’s technological resources while following District standards set by the Technology Services department and may establish guidelines and limits on their use. Instructional staff shall receive a copy of this administrative regulation, the accompanying Board policy, and the district’s Acceptable Use Agreement. Expecting expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All students using these resources shall receive training in their proper and appropriate use. At the beginning of each school year, parents/guardians shall receive a copy of the district’s policy and administrative regulation regarding access by students to the Internet and online sites. On-Line/Internet Services:

User Obligations and Responsibilities Students are authorized to use district equipment to access the Internet or on-line services in accordance with user obligations and responsibilities specified by the Board and the district’s Acceptable Use Agreement. 1. The student, in whose name an on-line services account is issued, is responsible for its proper use at all times. Students shall keep personal account numbers, passwords, home addresses and telephone numbers private. They shall only use the system under their own account to which they have been assigned. 2. Students shall use the district’s system safely, responsibly and primarily for educational purposes. 3. Students shall not access, post, submit, publish or display harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion or political beliefs. Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes in a patently offensive way sexual conduct and which lacks serious literary, artistic, political or scientific value for minors. 4. Students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals located throughout the Internet without the permission of their parents/guardians. Personal information includes the student’s name, address, telephone number, Social Security number, or other individually identifiable information. 5. Students shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy. If a user violates the Acceptable Use Agreement or any of the District’s or a school’s policies, regulations procedures or guidelines, access to the District’s educational technology resources may be denied and other legal or disciplinary action may be taken. 6. Students shall not use the system to engage in commercial or other for-profit activities. 7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff. 8. Copyrighted material shall not be placed on the system without the author’s permission and in accordance with copyright laws. Students may download material for their own use only and with proper credit given, as with any other printed source of information. 9. Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called “hacking.” 10. Students shall not read or use other users’ electronic mail or files. They shall not attempt to interfere with other users’ ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify or forge other users’ mail. 11. Students shall report any security problem or misuse of the services to the teacher or principal. The district reserves the right to monitor the use of the district’s system for improper use without advance notice or consent. Electronic communications and downloadable material, including files deleted from a user’s account, may be monitored or read by district officials to ensure proper use of the system. Whenever a student is found to have violated Board policy, administrative regulation, or the district’s Acceptable Use Agreement, the principal or designee may cancel or limit a student’s user privileges or increase supervision of the student’s use of the district’s technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy. 7/14/04

Appendix L: BP 5144 Students Discipline

The Governing Board desires to prepare students to be caring, competent, critical thinkers and fully-informed, engaged, contributing members of society who are ready to succeed in college and career. The Board expects each school to create a safe and positive school environment in which all students feel accepted, supported, and respected. The Board desires that its disciplinary policies further its mission of serving the whole child, eliminate inequality in the use of punitive consequences, and provide each child with excellent teachers who are equipped to promote academic and behavioral learning.

The Board desires the use of a positive approach to student behavior and the use of preventative and restorative practices to minimize the need for discipline and maximize instructional time for every student. The Board recognizes the importance of developing the social and emotional health of all youth and adults in our organization. The Board desires the adoption of the Response to Intervention (RTI) framework wherein schools provide a tiered system of academic and behavioral supports to all students in order to allow all students to equitably access the core curriculum. Each school is responsible for adopting strategies, programs, and interventions within an RTI framework to facilitate a consistent approach for positive, pro-social behavior management in order to reduce student loss of instructional time due to disciplinary sanctions. The Board recognizes that an opportunity gap for significant portions of its student population exists, namely across African American, Latino, and English Language Learner students and students with disabilities. The Board desires to identify and address the causes of disproportionate treatment in discipline to reduce and eliminate the racial disparities in the use of punitive school discipline, and any other disparities that may exist for other under-served populations. Schools shall enforce disciplinary rules fairly, consistently, and without discrimination. The Board recognizes the importance of using school and classroom management strategies that keep students in school and in the classroom. Missing too much school for any reason has a direct impact on academic achievement—both short-term and long-term. Removal of students from the classroom environment for misbehavior should be avoided. The Board does not support a zero tolerance approach to discipline except where mandated by law. Schools may not adopt zero tolerance policies or practices that conflict with District discipline policies. Except where suspension for a first offense is permitted by Education Code 48900.5, as further described in AR 5144.1, an administrator or administrator’s designee may only impose in school and out-of-school suspension when other means of correction fail to bring about proper conduct or the student’s presence causes a danger to persons. (Education Code 48900.5) The other means of correction that have been attempted must be documented and evaluated for effectiveness prior to referring the student for a disciplinary sanction that results in the student’s removal from an assigned classroom or the school site. Other
means of correction include, but are not limited to, conferences with students and their parents/guardians; use of student study teams or other intervention-related teams; enrollment in a program teaching social/ emotional behavior or anger management; participation in a restorative justice program or restorative circles; and positive behavior support approaches. [Education Code 48900.5] The Superintendent or designee shall provide professional development as necessary to assist staff in developing consistent classroom management skills, implementing effective disciplinary techniques, eliminating unconscious bias, and establishing cooperative relationships with parents/guardians. With the participation of community stakeholders, each school may develop disciplinary rules to meet the school’s particular needs as described in AR 5144. The rules shall be consistent with law, Board policy, district regulations, and school-level discipline data. The Superintendent or designee shall provide professional development where appropriate to assist staff in developing classroom management skills and implementing effective disciplinary techniques. To ensure that discipline is appropriate and equitable, schools and the District shall collect and review discipline data that is disaggregated by school, race, gender, status as an English Language Learner, status as a student with a disability, and type of infraction on a monthly basis. The District will perform a centralized review of school-level and District-wide discipline data to measure progress toward the goal of eliminating disproportionate rates of suspension and referral for African-American students, and determine whether the site strategies require adjustment to meet the goal. Site administrators, on a quarterly basis, shall meet with the site’s teaching staff to review the school site’s discipline data and discuss strategies for teaching, encouraging and reinforcing positive student behavior that do not require engagement with the discipline system and loss of instructional time. Corporal Punishment Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. For purposes of this policy, corporal punishment does not include an employee’s use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property or to prevent the obtain possession of weapons or other dangerous objects within the control of the student.

4/23/14

Appendix M: AR 5144 Students Discipline

The District and staff are committed to establishing positive learning environments that ensure that all students have access to a quality education. The District recognizes that a key aspect of maintaining a healthy and safe environment is establishing order and maintaining discipline in our schools. This can only be achieved through the cooperative efforts of our school personnel, students, parents, guardians, and our community. The District believes that developing strong relationships with families is the first step in establishing safe and healthy schools. The District and staff desire to work collaboratively with families to establish positive relationships that aid in the development and achievement of all students. School staff members are encouraged to contact parents early in the school year to proactively establish positive school/home communication and throughout the school year to share student successes and challenges, and develop plans to help students have access to a quality education. The District is committed to eliminating disparity in school discipline with respect to its underserved populations by reducing the number of referrals, suspensions, and expulsions. The staff will engage in restorative practices that enhance school culture and improve discipline systems to address equity. Site-Level Rules In developing site-level disciplinary rules, the school shall solicit the participation, views, and advice of one representative selected by each of the following groups: 1. Parents/guardians 2. Teachers 3. School administrators 4. For junior high and high schools, students enrolled in the school The rules shall be consistent with law, Governing Board policy, and district regulations. The development of the rules shall be informed by school-level discipline data as described in BP 5144. The school shall also solicit participants’ views on whether site-level and District-level discipline rules are being equitably and fairly applied. The confidentiality of student records shall be maintained at all times. Alternative Means of Correction Each school is responsible for incorporating a Response to Intervention (RTI) framework into its Community Schools Strategic Plan (CSSSP) to reduce referrals and suspensions through proactive intervention, positive behavioral support, restorative practices, and other non-punitive approaches to discipline. RTI is a prevention system focused on maximizing student achievement, reducing behavior problems, and avoiding loss of instructional time through the use of tiered interventions. Referral of students from the classroom environment for misbehavior should be avoided. The District expects that alternatives to suspension and progressive discipline approaches shall be utilized prior to referring a student out of the classroom. The District expects that alternatives aligned with the school’s RTI framework and District policies will be undertaken within the classroom except where suspension for a first offense is permitted by Education Code 48900.5, as further described in AR 5144.1, or where it can be documented that the behavior violation imposes a clear danger to persons. Classroom-based strategies include, but are not limited to: Explicit re-teaching of behavioral expectations; Separating students; Writing an apology letter; Assignment of additional tasks; Phone call to parent; Keeping students after class; Restorative conference with student(s) or class; Creation of a positive behavior contract; Conference with student; Conference with parent and the student. Parents should be notified if there is an escalating pattern of misbehavior that could lead to classroom or school removal. Students who exhibit a pattern of misbehavior should be provided more intensive support and interventions. Appropriate school- based strategies include, but are not limited to: A conference between school staff and the student and his/her parents/guardians. Referral to a school counselor or other school support personnel for case management and counseling. Referral for drug or alcohol counseling. Convening of a Student Study Team (SST), Coordination of Services Team (COST), or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and his/her parents/guardians. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including, for purposes of creating an individualized education program or a Section 504 plan. Enrollment in a program for teaching social/ emotional behavior or anger management. Participation in a restorative justice program or conversation/circle. A positive behavior support approach with tiered interventions that occur during the school day on campus. After-school programs that address specific behavioral issues or expose students to positive behaviors and relationships. The District will not be limited to, those operated in collaboration with local parent and community groups. Detention after school hours as provided in the section below entitled “Detention After School.” Community service as provided in the section below entitled “Community Service.” In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities.

Recess Restriction

A teacher may restrict a student’s recess time only when he/she believes this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other interventions before imposing the restriction. Recess restriction shall be subject to the following conditions: The student shall be given adequate time to use the bathroom and get a drink or eat lunch, as appropriate. The student shall remain under the supervision of an appropriate employee during the period of restriction. Teachers shall inform the principal of any recess restrictions they impose. Detention After School Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day.

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parents/guardian. In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. Students shall remain under the supervision of a certified employee during the period of detention. Students may be offered the choice of serving their detention on Saturday rather than after school.

Community Service As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal’s designee may, at his/her discretion, require a student to perform community service during non-school hours on school grounds, or, with written permission of the student’s parent/guardian, off school grounds. Such service may include, but is not limited to,
community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension.

Referrals The Board desires the adoption of the RTI framework to facilitate a consistent approach for positive, pro-social behavior management. The District expects teachers to attempt RTI interventions prior to making a referral out of the classroom except where suspension for a first offense is permitted or mandated by law as described in AR 5144.1 pp. 8-9. When a referral out of the classroom is made, site administrator or designee must ensure that site staff completed the following: Teacher completed universal referral form (starting in the 2014-2015 school year); Site administrator or designee reviewed universal referral form and, if warranted, assigned appropriate consequences; Site administrator or teacher contacted the student’s parents/guardians and notified them of any consequences; Site administrator or designee investigated the reasons for the student’s conduct; Site administrator or designee recorded the classroom interventions and referral in the District’s database.

Notice to Parents/Guardians and Students At the beginning of the school year, the Superintendent or designee shall notify parents/guardians in the Parent Guide about the availability of district rules related to discipline. The Superintendent or designee shall also provide written notice of the rules related to discipline to transfer students at the time of their enrollment in the district. 4/23/14

Appendix N: BP 5144.1 Suspension and Expulsion / Due Process

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. In response to serious or repeated violations of established policies and standards, it may be necessary to suspend or expel a student from regular classroom instruction. The Board does not support a zero tolerance approach to discipline. The Board recognizes the importance of providing school-wide positive supports, using discipline strategies that keep students in school and in the classroom, and supporting students in learning to behave appropriately and solve conflicts peacefully. Before subjecting a student to disciplinary sanctions that result in a loss of instructional time, the Superintendent or designee shall, to the extent allowed by law, first use alternative strategies as described in AR 5144 - Discipline. Except where suspension for a first offense is permitted by 48900.5, as further described in AR 5144.1, in-school and out-of-school suspension shall be imposed only when other means of correction fail to bring about proper conduct or the student’s presence causes a danger to persons. Expulsion is an action taken by the Board only for severe breaches of discipline by a student. The teacher of any class from which a student is suspended pursuant to Section 48910 shall require the student to complete any assignments and tests missed during the suspension. The school will monitor and address the educational needs of the student that arise due to the loss of instructional time. Suspension and expulsion may not be imposed for truancy, tardiness, or absence. Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities. Effective January 1, 2015, as provided in California Education Code section 48900(k), no student enrolled in grades TK-Kindergarten through third grade may be suspended for disrupting school activities or willfully defying the authority of school personnel (“disruption and willful defiance”) and no student enrolled in grades TK through twelve (TK-12) shall be expelled for the same. Effective July 1, 2016, no student enrolled in grades TK-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August 2015 and January 2016. If based on review of the data, it appears further steps should be undertaken to meet the goal of eliminating suspensions for disruption and willful defiance by July 1, 2016, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for disruption and willful defiance by July 1, 2016. The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be specified by administrative regulation and must be consistent with the requirements set forth here. Effective January 1, 2015, the District may not involuntarily transfer a student in grades TK-3rd grade to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)). Effective July 1, 2016, the District may not involuntarily transfer a student to another school based on a finding of disruption of school activities or willful defiance of the authority of school personnel (California Education Code section 48900(k)). Involuntary transfers may only occur following a recommendation for expulsion and after a hearing before the District’s Disciplinary Hearing Panel (DHP) consistent with the requirements in Education Code section 48918 and the notice and hearing procedures for expulsions. DHP shall recognize the use of a positive approach to student behavior and maximize instructional time for every student. An involuntary transfer to a continuation school must be made pursuant to Education Code section 48432.5. District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, and in accordance with the district’s nondiscrimination policies.

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation.

Expansion of Restorative Justice, the Manhood Development Program, PBIS and other restorative and youth development approaches The Board recognizes that the District has made progress toward creating a positive school culture through various means, including through the use of Restorative Justice (RJ), Positive Behavioral Interventions and Supports, and the Manhood Development Program. The Board believes that the continued expansion of such programs is central to the creation of safe, healthy and supportive school environments for all students in the District. The Board supports and will prioritize funding for RJ, Manhood Development Program and PBIS programs and coordinators at school sites and professional development, coaching and support for teachers and administrators to successfully implement these programs. Supervised Suspension Classroom Supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework.

The Board believes that, in many cases, it would be better to manage the student’s behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom. To ensure the proper supervision and ongoing learning of students who are suspended, the District’s policies are amended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law. Decision Not to Enforce Expulsion Order On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law and administrative regulation.

Expungement of Student Disciplinary Records As provided in Board Policy 5144.3, effective January 15, 2014, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student, may apply for expungement of student discipline record which meet the criteria set forth in BP 5144.3.

Monitoring the Use of Suspension and Expulsion By July 1, 2015, the Superintendent shall promulgate Administrative Regulations that establish the procedures for regular, accurate, and public data reporting on disciplinary measures and interventions. The procedures will include at least a requirement that the District make available on the District’s public website twice annually, within 30 days after the completion of each semester, data on school discipline, behavioral interventions, and student outcomes. The data will include at least the following: 1. The aggregate number and rates of office referrals, teacher suspensions, supervised
student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the district’s disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the district had knowledge that the student was disabled before the behavior occurred. The district shall be deemed to have knowledge that the student had a disability if one of the following conditions exists: 1. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, that the student is in need of special education or related services. 2. The behavior or performance of the student demonstrates the need for such services, in accordance with 34 CFR 300.7. 3. The parent/guardian has requested an evaluation of the student for special education pursuant to 34 CFR 300.530-300.536.4. The teacher of the student or other district personnel has expressed concern about the behavior or performance of the student to the district’s director of special education or other personnel in accordance with the district’s established child find or special education referral system. The district would be deemed to not have knowledge as specified in items #1-4 above if, as a result of receiving such information, the district either conducted an evaluation and determined that the student was not a student with a disability or determined that an evaluation was not necessary and provided notice to the parent/guardian of its determination. If it is determined that the district did not have knowledge that the student was disabled prior to taking disciplinary action against the student, then the student shall be disciplined in accordance with procedures established for students without disabilities. If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities.

Suspension

The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for defiance of conduct, and for up to 20 school days in a school year, as long as the suspension(s) do not constitute a change in placement pursuant to 34 CFR 300.519.

Services During Suspension

Students suspended for more than 10 school days in a school year shall continue to receive services during the term of the suspension, to the extent necessary to provide the student a free and appropriate public education. If a student with disabilities is excluded from school bus transportation, the student is entitled to be provided with an alternative form of transportation at no cost to the student or parent/guardian, provided that transportation is specified in the student’s IEP.

Interim Alternative Placement Due to Dangerous Behavior

A student with a disability may be placed in an appropriate interim alternative educational setting for up to 45 days when he/she commits one of the following acts: 1. Carries a weapon, as defined in 18 USC 930, to school or to a school function 2. Knowingly possesses or uses illegal drugs while at school or a school function 3. Sells or solicits the sale of a controlled substance while at school or a school activity as identified in 21 USC 812(c), Schedules I-V The student’s alternative educational setting shall be determined by the student’s IEP team. A hearing officer may order a change in placement of a student with a disability to an appropriate interim educational setting if the hearing officer: 1. Determines that the district has established by substantial evidence, meaning beyond a preponderance of the evidence, that maintaining the current placement of the student is substantially likely to result in injury to the student or others 2. Considers the appropriateness of the student’s current placement 3. Considers whether the district has made reasonable efforts to minimize the risk of harm in the student’s current placement, including the use of supplementary aids and services 4. Determines that the interim alternative educational setting proposed by school personnel who have met with the student’s special education teacher allows the student to: a. Progress in the general curriculum and continue to receive those services and modifications, including those described in his/her IEP, to enable the student to meet the goals of the IEP b. Receive services and modifications designed to address the behavior and ensure that the behavior does not
The student may be placed in the interim alternative educational setting for up to 45 days, or until the conclusion of any due process hearing proceedings requested by the parent/guardian.

Behavioral Assessment and Intervention Plan

Not later than 10 business days after a student has been suspended for more than 10 school days or placed in an alternative educational setting, the district shall convene an IEP team meeting to conduct a functional behavior assessment and implement a behavioral intervention plan. If the student already has a behavioral intervention plan, the IEP team shall review the plan and modify it as necessary to address the behavior. As soon as practicable after developing the behavioral intervention plan and completing the required assessments, the IEP team shall meet to develop appropriate behavioral interventions to address the behavior and shall implement those interventions.

Procedural Safeguards/Manifestation Determination

The following procedural safeguards shall apply when a student is suspended for more than 10 consecutive school days, when disciplinary action is contemplated for a dangerous behavior as described above, or when a change of placement is contemplated: 1. The parents/guardians of the student shall be immediately notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504 on the day the decision to take action is made. 2. Immediately if possible, but in no case later than 10 school days after the date of the decision, a manifestation determination review shall be made of the relationship between the student’s disability and the behavior subject to the disciplinary action. At this review, the IEP team and other qualified personnel shall consider, in terms of the behavior subject to the disciplinary action, all relevant information, including: a. Evaluation and diagnostic results, including the results or other relevant information supplied by the student’s parents/guardians b. Observations of the student c. The student’s IEP and placement in relationship to the behavior subject to the disciplinary action, the team shall then determine whether the IEP and placement were appropriate and whether supplementary aids, services, and behavioral intervention strategies were provided consistent with the student’s IEP and placement. The team shall also determine that the student’s disability did not impair the ability of the student to understand the impact and consequences of the behavior, nor did it impair his/her ability to control the behavior subject to the disciplinary action. If the team determines that the student’s behavior was not a manifestation of his/her disability, then the student may be disciplined in accordance with the procedures for students without disabilities as long as the student continues to receive services to the extent necessary to provide that student a free and appropriate public education. If the team determines that the student’s behavior was a manifestation of his/her disability, then the student’s placement may be changed only via the IEP process.

Due Process Appeals

If the parent/guardian disagrees with a decision that the behavior was not a manifestation of the student’s disability or with any decision regarding placement, he/she has the right to appeal the decision. If the student’s parent/guardian initiates a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student shall remain in the interim alternative setting pending the decision of the hearing officer or the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. If school personnel maintain that it is dangerous for the student to be placed in the current placement (placement prior to removal to the interim alternative education setting), during the pendency of the due process proceedings, the Superintendent or designee may request an expedited due process hearing.

Services During Expulsion

Expelled students shall continue to receive services during the term of the expulsion to the extent necessary to provide the student a free and appropriate public education. Any alternative program must provide services to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student’s IEP.

Readmission

Readmission procedures for students with disabilities shall be the same as those used for all students. Upon readmission, an IEP team meeting shall be convened. Suspension of Expulsion The Board’s criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students.

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. Within one school day after a student’s suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind. 8/25/04

Appendix P: BP 0410 - Nondiscrimination In District Programs And Activities

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, national origin, ethnicity, gender, age, religion, marital status, pregnancy, or mental, physical, or emotional disability, sexual orientation, gender identity, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(df. 1240 - Volunteer Assistance)
(df. 4030 - Nondiscrimination in Employment)
(df. 4032 - Reasonable Accommodation)
(df. 4033 - Lactation Accommodation)
(df. 4119.11/4219.11/4319.11 - Sexual Harassment)
(df. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
(df. 5131.2 - Bullying)
(df. 5145.3 - Nondiscrimination/Harassment)
(df. 5145.7 - Sexual Harassment)
(df. 5146 - Married/Pregnant/Parenting Students)
(df. 6145 - Extracurricular and Co-curricular Activities)
(df. 6145.2 - Athletic Competitions)
(df. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(df. 6164.6 - Identification and Education Under Section 504)
(df. 6178 - Career Technical Education)
(df. 6200 - Adult Education)

District programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(df. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures.
specifies AR 1312.3 - Uniform Complaint Procedures. (cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district’s policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be posted in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations and shall be posted on the district’s web site and, when available, district-supported social media.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

The district’s nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school’s students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 - Animals at School)
(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)
(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district’s response to complaints and for complying with state and federal civil rights laws is hereby designated as the district’s ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

(cf. 1312.3 - Uniform Complaint Procedures)

Appendix Q - BP 4030 - Nondiscrimination In Employment

The Governing Board desires to provide a positive work environment where employees and job applicants are assured of equal access and opportunities and are free from harassment in accordance with law. The Board prohibits district employees from discriminating against or harassing any other district employee or job applicant on the basis of the person’s actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4032 - Reasonable Accommodation)
(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 5145.7 - Sexual Harassment)

Prohibited discrimination consists of the taking of any adverse employment action against a person, including termination or denial of promotion, job assignment, or training, or in discriminating against the person in compensation, terms, conditions, or other privileges of employment based on any of the prohibited categories of discrimination listed above.

The prohibition against discrimination based on the religious creed of an employee or job applicant includes any discrimination based on the person’s religious dress or grooming practices or any conflict between the person’s religious belief, observance, or practice and an employment requirement. The prohibition against discrimination based on the sex of an employee or job applicant shall include any discrimination based on the person’s pregnancy, childbirth, breastfeeding, or any related medical conditions. (Government Code 12926, 12940)

Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an individual’s employment opportunities, has the purpose or effect of unreasonably interfering with the individual’s work performance, or creates an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district’s complaint procedures instituted pursuant to this policy.

Any district employee who engages in prohibited discrimination, harassment, or retaliation who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the District Ombudsperson, or the Chief Talent Officer who shall advise the employee or applicant about the district’s procedures for filing, investigating, and resolving any such complaint.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Any supervisor or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Ombudsperson or the Chief Talent Officer as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications

The Superintendent or designee shall provide training to employees about
how to recognize harassment and discrimination, how to respond appropriately, and components of the district’s policies and regulations regarding discrimination.

(cf. 4131- Staff Development)
(cf. 4231- Staff Development)
(cf. 4331- Staff Development)

The Superintendent or designee shall regularly publicize, within the district and in the community, the district’s nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district’s policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

8/25/04; 10/26/11A; 2/25/15A

Appendix R: BP 5145.3 - Nondiscrimination/Harassment and Transgender Policy

Nondiscrimination Policy

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district’s academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student’s actual race, color, ancestry, national origin, ethnic group identification, citizenship, age, religion, marital or parental status, physical or mental disability, medical condition, status as a veteran or disabled veteran, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

The Governing Board recognizes that the District is responsible for ensuring that it complies with state and federal laws and regulations governing educational programs. Further, the Board shall ensure equal opportunities for all students in admission and access to academic courses, guidance and counseling programs, athletic programs, testing procedures, vocational education and other activities.

Transgender Policy

California Law Prohibits Gender-Based Discrimination in Public Schools

The California Code of Regulations defines “gender” as: “a person’s actual sex or perceived sex and includes a person’s perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person’s sex at birth.”

This policy is meant to advise school site staff and administration regarding transgender and gender non-conforming student concerns in order to create a safe learning environment for all students, and to ensure that every student has equal access to all components of the District’s educational program.

Schools are expected to implement this Policy as follows:

• Names/Pronouns
  Students shall have the right to be addressed by a name and pronoun corresponding to their gender identity that is exclusively and consistently asserted at school.

• Official Records
  The District shall change a student’s official records to reflect a change in legal name or gender upon receipt of documentation that such legal name and/or gender have been changed pursuant to California legal requirements.

• Restroom Accessibility
  Students shall have access to the restroom that corresponds to their gender identity exclusively and consistently at school.

• Locker Room Accessibility
  Transgender students shall not be forced to use the locker room corresponding to their gender assigned at birth.

• Sports and Gym Class
  Transgender students shall not be denied the opportunity to participate in sports and gym.

• Dress Codes
  Students shall have the right to dress in accordance with their gender identity that is exclusively and consistently asserted at school, within the constraints of the dress codes adopted at their school site.

• Gender Segregation in Other Areas
  As a general rule, in any other circumstances where students are separated by gender in school activities, students shall be permitted to participate in accordance with their gender identity exclusively and consistently asserted at school.

5 CCR Section 4910(k).

7/14/04; 10/26/11A; 11/14/12A

Appendix S: - AR 5145.3 – Transgender Students

Students

The District is committed to providing a safe, supportive, and inclusive learning environment for all students, including transgender students. The District is also committed to ensuring that every student has equal educational opportunities and equal access to the District’s educational programs and activities.

This regulation sets out guidelines for supporting the needs and rights of transgender and gender nonconforming students. This regulation does not anticipate every situation that may arise with respect to transgender or gender nonconforming students. Schools are encouraged to assess the needs of each transgender or gender nonconforming student on a case-by-case basis. In all cases, the goal is to ensure the safety, comfort, and healthy development of the transgender or gender nonconforming student.

Definitions

The definitions below are intended to clarify the guidance provided in this regulation. Students may or may not use these terms to describe themselves.

• Gender identity means a person’s gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.

• Transgender student means a student whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

• Gender expression means a person’s gender-related appearance and behavior whether or not stereotypically associated with the assigned sex at birth.

• Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Applicable Laws and Policy

The California Education Code states that “all pupils have the right to participate fully in the educational process, free from discrimination and harassment.” Cal. Ed. Code Section 221.5(f) specifically requires that “[a] pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender
identity, irrespective of the gender listed on the pupil’s records.” The California Code of Regulations similarly provides that “(n) person shall be excluded from participation in or denied the benefits of any local agency’s program or activity on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in any program or activity conducted by an ‘educational institution’ or any other ‘local agency’…that receives or benefits from any state financial assistance.” 5 CCR Section 4900(a). The California Code of Regulations defines “gender” as: “a person’s actual sex or perceived sex and includes a person’s perceived identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person’s sex at birth.” 5 CCR Section 4910(k). Board Policy 5141.3 prohibits discrimination against transgender and gender nonconforming students.

Privacy

Students have a right to decide when, with whom, and how much personal information to share with others. This right to privacy includes the right to control dissemination of information about one’s gender identity, including one’s transgender status, or sexual orientation.

School personnel should not disclose information that may reveal a student’s transgender status or gender nonconforming presentation to others unless legally required to do so, the student has authorized such disclosure, or there is a specific “need to know.” In the rare circumstances where disclosure is necessary, school officials shall inform the transgender student of the need to disclose and provide the student with an opportunity to make the disclosure themselves before making any disclosure.

Names/Pronouns

A student has the right to be addressed by a name and pronoun corresponding to their gender identity, as opposed to an inadvertent slip or honest mistake, is a violation of this regulation. For example, intentionally referring to the student by a name or pronoun that does not correspond to the student’s gender identity would violate this regulation.

School Records

The District is committed to ensuring that students are addressed by the name and pronoun corresponding to their gender identity that is exclusively and consistently asserted at school. Upon request, a school shall recognize a student’s gender identity that is exclusively and consistently asserted at school.

The intentional or persistent refusal to respect a student’s gender identity, as opposed to an inadvertent slip or honest mistake, is a violation of this regulation. For example, intentionally referring to the student by a name or pronoun that does not correspond to the student’s gender identity would violate this regulation.

Restroom Accessibility

Students shall have access to the restroom that corresponds to their gender identity exclusively and consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided access to a single stall restroom, but no student shall be required to use such restroom.

Locker Room Accessibility

Students shall have access to use facilities consistent with their gender identity as expressed by the student and asserted at school, irrespective of the gender listed on the student’s records, including but not limited to locker rooms. Where available, accommodations may be used by any student who desires increased privacy, regardless of the underlying reason. The use of such accommodations shall be a matter of choice for a student, and no student shall be compelled to use such accommodations. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area such as the use of a private area (e.g., a nearby restroom stall with a door, an area separated by a curtain, a P.E. instructor’s office in the locker room, or a nearby health office restroom), or with a separate changing schedule (e.g., using the locker room that corresponds to their gender identity before or after other students). Any alternative arrangement should be provided in a way that protects the student’s ability to keep his or her transgender status confidential. In no case shall a transgender student be required to use a locker room that conflicts with the student’s gender identity.

Gender-Segregated Activities

To the extent possible, schools should reduce or eliminate the practice of segregating students by gender. In situations where students are segregated by gender, such as for health education classes, students should be included in the group that corresponds to their gender identity.

Transgender students shall not be denied the opportunity to participate in physical education, nor shall they be forced to have physical education outside of the assigned class time. Transgender and gender nonconforming students shall be permitted to participate in gender-segregated physical education classes, interscholastic athletic teams, and intramural sports in a manner consistent with their gender identity. As a general rule, in any other circumstances where students are separated by gender in school activities or programs (i.e. class discussions, field trips), students shall be permitted to participate in accordance with their gender identity that is exclusively and consistently asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case by case basis. In such circumstances, staff shall make a reasonable effort to provide an available accommodation that can address any such concerns.

Dress Codes

Transgender and gender nonconforming students have the right to dress in a manner consistent with their gender identity or gender expression.

Discrimination/Harassment

Transgender and gender nonconforming students must be provided a safe school environment and protected from discrimination and harassment in the public school system. Staff must respond appropriately to ensure that schools are free from any such discrimination or harassment. This includes ensuring that any incident of discrimination, harassment, or violence is given immediate attention, including investigating the incident, taking appropriate corrective action, and providing students and staff with appropriate resources. Complaints alleging discrimination or harassment based on a person’s actual or perceived transgender status or gender nonconformity are to be handled in the same manner as other discrimination or harassment complaints.

Complaints about violations of BP 5145.3 or this regulation should be handled through the Uniform Complaint Procedures. Cal. Code of Reg. tit. 5 §§ 4600-4687.

(df - AR 5311.2)
(df – BP/AR 1312.3)

Transferring a Student to Another School (Safety Transfers)

In general, schools should aim to keep transgender and gender nonconforming students at the original school site. Safety transfers should not be a school’s first response to harassment and should be considered only when necessary for the protection or personal welfare of the
transferred student, or when requested by the student or the student’s parent.

11/4/2014

APPENDIX T: BP 5145.11 Students

Questioning and Apprehension

Law enforcement officers have the right to interview and question students on school premises. When such an interview is requested, the principal or designee shall ascertain the officer’s identity, official capacity, and the authority under which he/she acts. If the officer needs to interview or question the student immediately, the principal or designee shall accommodate the process in a way that causes the least possible disruption to the school, gives the student appropriate privacy, and models exemplary cooperation with community law enforcement authorities.

At the law officer’s discretion and with the student’s approval, the principal or designee may be present during the interview.

If the law officer finds it necessary to remove the student from school, the principal or designee shall first ascertain the reason for such action. Upon releasing the student, the principal or designee shall immediately attempt to inform the student’s parent/guardian.

Personnel responsible for releasing a student from school custody shall exercise extreme diligence to prevent such release to any unauthorized or unidentified person.

(cf. 5142 - Safety)

Subpoenas

Although subpoenas may legally be served at school, the Board believes that serving officials should be strongly urged to serve subpoenas at the home of the student whenever possible. In these situations, steps should be taken to ensure a minimum of embarrassment or loss of class time for the student.

8/25/04

APPENDIX U: BP 5145.13 – Tracking and Reducing Student Contacts With and Arrests By Law Enforcement: OUSD Staff Responsibilities and Obligations.

The Oakland Unified School District (“OUSD”) is committed to:

• Improving outcomes for black students as one of its foremost priorities;
• Prioritizing alternative, non-punitive approaches to addressing difficult student behaviors that help improve student behavior and create a safer school climate;
• Using law enforcement only as a last resort in relation to student conduct and only for incidents for which law enforcement is necessary to address a serious threat to school safety;
• Avoiding the unnecessary criminalization of OUSD students for whom arrest and juvenile court involvement creates serious potential long-term consequences; and
• Providing district employees with information concerning the role that Oakland Schools Police Department (“OSPD”) officers are expected to play in the discipline process, focusing in particular on guidelines for when it is appropriate and when it is not appropriate to refer a student to an OSPD officer.

To the extent that disparities exist for referrals to, contacts with, and arrests or citations of students for any student subgroup, OUSD staff shall develop and implement school-focused, District-wide interventions that focus on providing the greatest amount of support to schools showing the greatest disparities in contacts and arrests and share information about these interventions with the Board of Education on a bi-annual basis.

1. STUDENT DISCIPLINE: REDUCING LAW ENFORCEMENT CONTACT AND ARRESTS

OUSD administrators have primary responsibility to ensure consistent enforcement of school rules and policies. No OSPD officer or school security officer shall act as a school disciplinarian. Disciplining students is the responsibility of non-OSPD/non-school security officer staff at the school sites.

OSPD officers should not be requested to interview students or collect evidence for only OUSD disciplinary purposes, including for expulsion matters.

Effective the 2014/2015 school year, OUSD administrators shall prioritize and document alternatives to police involvement, such as the use of restorative justice practices, and use law enforcement only as a last resort in relation to student conduct and only for incidents for which law enforcement is necessary to address a serious threat to school safety.

(See, e.g., OUSD’s Restorative Justice Webpages located at the following Internet address: www.osud.k12.ca.us/Page/1048.)

2. OFFICER ENTRY ON SCHOOL CAMPUSES

Absent exigent circumstances, OSPD officers should notify school officials (e.g., the principal or assistant principal) of their presence and/or purpose when they enter a school campus.

3. ARREST OR QUESTIONING OF A STUDENT

OUSD shall abide by Education Code Section 48906, which requires that a school official must make immediate parental/guardian notification upon police arrest of a student, excepting when the child is taken into custody as a suspected victim of child abuse or pursuant to Section 305 of the Welfare & Institutions Code. OUSD policy requires that a school official must immediately attempt to inform a parent/guardian of that student’s arrest.

(See OUSD Board Policy 5145.6, 5145.11; Administrative Regulation 5145.11.)

Before summoning law enforcement for the commission of low-level school-based offenses, such as possession of alcohol or marijuana or physical alterations, OUSD staff should exhaust all other alternatives, such as issuing a warning, admonishing and counseling, and referring to restorative justice or mediation. OUSD shall develop a matrix for and track the use of such alternatives.

A school official must take immediate steps to contact a parent/guardian to get oral consent to permit any police interrogation of the minor, unless the child is a suspected victim of child abuse. If the parent or guardian requests that the pupil not be questioned until he or she can be present, the pupil may not be made available to the peace officer for questioning until the parent or guardian is present.

Efforts to contact parents by OUSD officials must include calling all numbers listed on an emergency contact card, including work numbers, pager numbers, and any numbers supplied by the student, as well as email addresses.

Absent extenuating circumstances, police will avoid interviewing and apprehending students at a school for non-school-related issues. Extenuating circumstances shall include, but not be limited to, officers entering school premises in “hot pursuit” of a suspect, or ongoing investigation of a serious nature or felony, or for child abuse investigation, or in response to an emergency, or crime being committed on school property.

4. LOCATION OF ARREST, PRIVACY OF STUDENT, AND CONSIDERATIONS OF CAMPUS CLIMATE

A private location out of sight and hearing of other students should be arranged for the arrest of a student, where practicable, that will help avoid invasion of the student’s privacy, jeopardizing the safety and welfare of other students, and further disruption of the school campus.

5. TRAINING ON AND DISTRIBUTION OF POLICY

Within 3 months of this policy’s adoption, OUSD shall ensure that it is distributed to all school staff and OSPD shall ensure that it is distributed to
1. GOALS AND ACTION PLAN

Oakland Unified School District’s (“OUSD”) goals are (1) to reduce disproportionate minority contact with police and the juvenile justice system and (2) to reduce the rate of school-based arrests and citations while maintaining a safe school climate.

To the extent such disparities exist, the Oakland Schools Police Department (“OSPD”) shall set goals for reducing the disparities and develop an action plan to reach such goals, that should include but not be limited to officer training on topics such as implicit bias, child development and cultural competency. OSPD shall also identify any services or resources that are needed from OUSD to support students with multiple law enforcement contacts and to reduce such contacts.

2. DATA TRACKING AND PUBLIC REVIEW

For purposes of this section:

- “School-related offenses” is defined as a criminal offense occurring or originating on an OUSD school site during hours the school is regularly open to the public or its students for school-related business.
- “School site” is defined as the property upon which the school is located. It also includes any location where a school-sponsored event is being held for the duration of such event.
- “Student” refers only to students who are enrolled in an OUSD public school (but not charter or private schools).

OSPD will provide the OUSD Board of Education (“BOE”), on a bi-annual basis, the information in (A) through (D) regarding the:

(A) Number of arrests of students made:
1. By OSPD on OUSD school sites for school related offenses.
2. By OSPD on OUSD school sites for non-school related offenses.
3. By OSPD off OUSD school sites for school related offenses.

(B) Number of times OSPD issued a citation to a student.

(C) Number of times OSPD was called to OUSD school sites and the type of call (e.g., trespassing, disruption, battery, possession of a weapon).

(D) Complaints: A summary of any complaints filed against OSPD officers pursuant to the OUSD Complaints Policy (Approved June 27, 2012), in the form and manner required by that policy.

Such data in (A) - (B) shall be disaggregated by offense, age, race, ethnicity, gender, and whether or not a student with an Individualized Education Plan or Section 504 Plan was arrested or cited.

The data in section (C), above, shall be reported for the first time in the summer of 2015.

The significance of disproportionate minority contact with OSPD police officers, according to the foregoing anticipated data, shall inform and impact the development of the action plan contemplated in Section 1, above. OSPD shall provide the BOE an update on any such action plan on a bi-annual basis.

3. STUDENT DISCIPLINE: REDUCING LAW ENFORCEMENT CONTACT

OUSD administrators have primary responsibility to ensure consistent enforcement of school rules and policies. No OSPD officer or school security officer shall act as a school disciplinarian. Disciplining students is the responsibility of non-OSPD/non-school security officer staff.

For the commission of low-level school-based offenses, such as possession of alcohol or marijuana or physical altercations, OSPD officers should exhaust all other alternatives, such as issuing a warning, admonishing and counseling, and referring for community service, restorative justice, or mediation. OUSD shall develop a matrix for and track the use of alternatives.

4. ARRESTS OR SUMMONS ON SCHOOL CAMPUSES

In an effort to minimize disruption to the learning environment, OSPD officers should consider the reasonableness of making an arrest on campus or summoning a student from a classroom. When considering whether it is reasonable to arrest or summon a student on campus, the officer should consider the following:

- Whether the arrest or summoning is in response to the commission of a school-related offense;
- The seriousness of the offense;
- Whether there is an imminent threat to public safety;
- Federal or state requirements;
- Whether the officer is able to accomplish the arrest by other means.

If the arrest is not reasonable given the considerations listed above, the arrest or summons of the student should be made at another time/place.

Absent exigent circumstances, OSPD officers should coordinate with designated school officials (e.g., the principal or assistant principal) if, after taking into account the reasonableness of such an arrest as outlined above, they determine it is necessary to make an arrest on campus.

A private location out of sight and hearing of other students should be arranged for the arrest of a student, where practicable, that will help avoid invasion of the student’s privacy, jeopardizing the safety and welfare of other students, and further disruption of the school campus.

5. OFFICER ENTRY ON SCHOOL CAMPUSES

Absent exigent circumstances, OSPD officers should notify school officials (e.g., the principal or assistant principal) of their presence and/or purpose when they enter a school campus.

6. ARREST AND QUESTIONING OF STUDENT SUSPECT

OSPD shall abide by Welfare and Institutions Code Section 627, which requires, among other things, that when an officer takes a minor before a probation officer at juvenile hall or to any other place of confinement pursuant to Division 2, Part 1, Chapter 2, Article 1 of the Welfare and Institutions Code, the officer shall take immediate steps to notify the minor’s parent, guardian, or a responsible relative that such minor is in custody and the place where the minor is being held. This provision does not apply to when a child is taken into custody as a suspected victim of child abuse pursuant to Section 305 of the Welfare & Institutions Code.

Absent extenuating circumstances, police will avoid interviewing and apprehending students at a school for non-school-related issues. Extenuating circumstances shall include, but not be limited to, officers entering school premises in “hot pursuit” of a suspect, or ongoing investigation of a serious nature or felony, or for child abuse investigation, or in response to an emergency, or crime being committed on school property.

Law enforcement shall make every effort to handle law enforcement related issues that are not school-related outside of school.

Immediately prior to questioning a student who is in custody, OSPD officers shall advise the student of the Miranda admonishment. The OSPD officer shall make every effort to ensure that the student fully understands the Miranda admonishment, including by checking for understanding and explaining any terms that may or may not make sense to the student, and invoking Miranda in the student’s primary language if not English. If the student decides to proceed with answering questions after the Miranda...
admonishment, the officer shall tell the juvenile that he or she may have a parent/guardian present before and during an interrogation and that he or she may decide to wait for the parent before questioning begins. A request by a student to have a parent/guardian present may be interpreted by the courts as an innovation of the right of the student to remain silent.

Any OSPD questioning of a student who is in custody shall be conducted in the language appropriate to the age and to ensure that the student understands the OSPD officer, if the student decides to answer questions or provide information.

7. TRAINING AND DISTRIBUTION OF POLICY

Within 3 months of this policy’s adoption, OUSD shall ensure that it is distributed to all school staff and OSPD shall ensure that it is distributed to all OSPD school police officers and that training is provided at least once per year.

5/28/14

APPENDIX W: BP 5124 Communication With Parents/Guardians; Translation and Interpretation Services

Because parents/guardians have a right to be informed about their child’s academic achievement and may use this information to support student learning, the Governing Board encourages frequent communication to parents/guardians about student progress. The principal and teacher may communicate by means of conferences, class newsletters, mail, telephone, and/or school visits by parents/guardians.

(cf. 1250 - Visitors/Outsiders)
(cf. 6020 - Parent Involvement)

As part of this communication, teachers shall send progress reports to parents/guardians at regular intervals and shall encourage parents/guardians to communicate any concerns to the teacher. In addition, the district shall send parents/guardians all notifications required by law.

(cf. 5113 - Absences and Excuses)
(cf. 5121 - Grads/Evaluation of Student Achievement)
(cf. 5145.6 - Parental Notifications)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(cf. 6162.5 - Student Assessment)

The Superintendent or designee shall ensure that appropriate means of communication are established whenever he/she learns that a parent/guardian, for any reason, may not be able to understand written communications from school or oral communications made during conferences related to the student’s program, assessment, progress or school activities.

As needed, the Superintendent or designee shall use interpreters who are fully competent in the specialized method of communication needed for effective communication with disabled parents/guardians.

It is the District’s policy, to the fullest extent practicable and consistent with law, that English learners and parents who speak languages other than English are provided translation and interpreting services, when necessary. Translation and interpreting services allow families of other language backgrounds to fully participate in the education of their children by receiving communication of high quality, equal to the communication provided in English to other families.

Commencing in the 2014-15, the District will include in the Parent Guide, a summary of the District’s translation and interpretation guidelines, and an explanation of how to access services.

In addition to the legal requirements to provide translation and interpretation services, any document about a specific student sent to a parent or guardian, including documents related to school related activities, such as field trips, after school activities, testing and safety related information, shall be translated into a language the parent(s) can understand, regardless of the percentage of students in the school or District who speak that language. The principal or designee is responsible for arranging such translations with the support of the District’s Translation Unit, if necessary.

Interpretation services must be provided where necessary to enable parents and guardians to participate in school based as well as District-wide programs and activities, including but not limited to:

a. Meetings of the District Governing Board
b. Meetings of school and District Advisory Committees (School Site Council, District English Learner Advisory Committee, Community Advisory Committee for Special Education, etc.)
c. Parent information meetings and activities
d. Individualize Education Plan (IEP) meetings
e. Individualize Family Service Plan (IFSP) meetings
f. Disciplinary Hearing
g. All communications concerning referral, assessment or placement of students for special education, including SST, IEP and Section 504 meetings

Children shall not be used to translate except in an emergency.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6174 - Education for English Language Learners)

The Superintendent or designee shall establish a procedure whereby parents/guardians may request an interpreter and shall inform parents/guardians about this procedure.

The Superintendent shall establish administrative guidelines to fully implement this Board Policy.

8/25/04; 10/9/13A
Key District Websites

All website addresses begin with www.ousd.org unless a complete web address is given.

Advocate / Get Involved with OUSD......................................................./getinvolved
Adult and Career Education............................................................../oace
African American Male Achievement (AAMA) ............................../aama
African American Female Excellence (AAFE) ................................./aafe
Alternative Education ................................................................./alted
Asian Pacific Islander Student Achievement (APISA) ...................../apisa
Attendance and Discipline Support ................................................./attendance
Blueprint for Quality Schools ......................................................./blueprintforquality
Board of Education ....................................................................../boe
Buildings & Grounds .................................................................../facilities
Careers / Recruitment .................................................................../careers
Office of Charter Schools ..............................................................www.ousdcharter.net
Communications Office .............................................................../communications
Community Schools & Student Services ........................................./communityschools
Complaints / Ombudsperson .........................................................../ombudsperson
Early Childhood Education ............................................................,/ece
English Language Learner & Multilingual Achievement .................,/ellma
Enrollment / Student Welcome Centers .........................................,/enroll
Facilities Department & Current Projects .....................................,/facilities
Finance Department .................................................................../finance
Fiscal Transparency ...................................................................../fiscaltransparency
Health Services ........................................................................../healthservices
High School Office ....................................................................../highschool
Homeless Family Support ............................................................./transitionalstudents
Latino/a Student Achievement .....................................................,/lsa
Legal Department ........................................................................../legal
Linked Learning ............................................................................../linkedlearning
Local Control and Accountability Plan (LCAP) ..............................,/lcap
Meal Menus ................................................................................../menus
News / Press Releases / Subscribe to Newsletters .............................,/newsroom
Nutrition Services ........................................................................,/nutrition
Refugee & Asylee Program .............................................................,/transitionalstudents
Research, Assessment & Data (RAD) .............................................,/rad
Sanctuary District ........................................................................./sanctuary
School Directory / Find A School / Find a Principal ......................./schools
School Security / OUSD Police .....................................................,/police
Special Education ........................................................................./specialeducation
Superintendent .........................................................................../superintendent
Transitional Students and Families Unit ........................................./transitionalstudents
Translation Services ....................................................................../translation
Transportation ............................................................................../transportation
Volunteering ................................................................................www.oaklandedfund.org/volunteer

For referral to an office or program not listed, please call 510-879-8200 or visit www.ousd.org/directory
2018-19 School Calendar

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- Jul 4 Independence Day
- Aug 8 Professional Development Day
- Aug 9 Site Based PD/Collaboration Day
- Aug 10 Teacher Work Day
- Aug 13 First Day of School
- Sep 3 Labor Day
- Sep 21 End of Marking Period (Secondary)
- Sep 28 Professional Development Day
- Oct 19 In Lieu of Lincoln’s Birthday
- Nov 2 End of Marking Period (Secondary)
- Nov 9 End of Report Card Period (Elementary)
- Nov 12 Veteran’s Day
- Nov 19-23 Thanksgiving Break
- Dec 21 First Semester Ends (Secondary)
- Dec 24-31 Winter Break
- Jan 1-4 Winter Break
- Jan 21 Martin Luther King, Jr. Day
- Jan 25 Professional Development Day
- Feb 18 Presidents’ Day
- Feb 22 End of Marking Period (Secondary)
- Mar 8 End of Report Card Period (Elementary)
- Mar 25-29 Spring Break
- Apr 1 Cesar Chavez Day
- Apr 12 End of Marking Period (Secondary)
- May 27 Memorial Day
- May 30 Last Day of School / End of Report Card Period (Elementary) / Second Semester Ends (Secondary)
- May 31 Teacher Work Day
- Jun 7 Summer Learning Teacher Work Day
- Jun 10 Summer Learning Begins

First/Last Day of School
Schools & Offices Closed
No School for Students
Marking Periods/ Report Card Periods
Individual student progress reports are sent to families within one week of these dates
Summer Learning

2019-20 School Year: 1st Day of School is Aug 12, 2019

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