

SMMUSD welcomes you to the 2021-2022 School Year!



We are excited to welcome new and returning students back to our excellent public schools, following a challenging year due to the coronavirus pandemic. We are looking forward to a fresh start, in person, while continuing to follow health agency guidelines to ensure the continued health and safety of our students and staff.

We do so with the support of parents and communities who care deeply about the success of our students and our schools. Our hardworking educators deserve recognition for leading our students to success last year under the most difficult circumstances of our lifetime. Our classified staff was there to support all of us every step of the way, and for that I am grateful.

Our mission statement is: *Extraordinary achievement for all students while simultaneously closing the achievement gap.* As a district, we remain committed to this mission and, in support, have affirmed our commitment to Excellence through Equity and social justice through our Local Control Accountability Plan (LCAP). We continue to be focused on three LCAP goals: All graduates are ready for college and careers; English Learners will become proficient in English while engaging in a rigorous, standards-aligned core curriculum; and all students engage in schools that are safe, well-maintained and family friendly.

We are focused on the whole student and recognize that students must be healthy inside and out in order to reach their full potential academically. Our efforts include teaching all students to acquire the knowledge, attitudes, and skills needed to function effectively in a pluralistic democratic society and to interact, negotiate, and communicate with people from diverse groups to create a civic and moral community that works for the common good.

Our work with the Santa Monica Education Foundation (Ed Foundation) and a group supporting Malibu schools is essential in achieving our goals. These partnerships ensure that we have visual and performing arts programs in every elementary school (TK-5th grade); instructional assistants in all elementary schools to support student learning; and discretionary grants in all schools (TK-12 grade) to allow schools to bolster their programs based on their own community needs and interests. We are so grateful for the local support from parents, staff, community members and businesses that makes our district even better. For more information or to donate, please visit your school website and click on the respective organization button for each community.

Please visit the district [website \(www.smmusd.org\)](http://www.smmusd.org) and school websites for important information and what's happening throughout the year. Please "like" us on [Facebook](#), including our [Visual and Performing Arts Facebook](#) page, [Malibu Schools Pathway](#) page and [Special Education](#) page, "follow us" on [Twitter](#) @smmusd and @MalibuPathway and download our mobile app from your app store listed as Santa Monica-Malibu USD.

We are working hard to ensure student success!

We are looking forward to a great school year!

Sincerely,

Dr. Ben Drati
Dr. Ben Drati, Superintendent

**Please review the material in this
booklet. Then SIGN and RETURN the
acknowledgement on page 45.**

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The references at the end of the sections in this booklet include the following codes:

- BP District Board Policy*
- AR Administrative Regulation*
- EC Education Code*
- HSC Health and Safety Code*
- PC Penal Code*
- WIC Welfare and Institutions Code*
- CCR California Code of Regulations*
- CC Civil Code*
- FC Family Code*
- GC Government Code*
- VC Vehicle Code*
- BPC Business and Professions Code*
- FAC Food and Agriculture Code*
- USC United States Code*
- CFR Code of Federal Regulations*
- ESEA Elementary and Secondary Education Act*
- PPRA Pupil Privacy Rights Amendment*
- FERPA Family Educational Rights and Privacy Act*
- PPACA Patient Protection and Affordable Care Act*
- Title VI Title VI (or VII, or IX) of the Civil Rights Act of 1964*
- IDEA Individuals with Disabilities Education Act*
- § 504 Section 504 of the Rehabilitation Act of 1973*
- EOA Equal Opportunities Act*
- CIF California Interscholastic Federation*

As the parent of a student you have many rights and responsibilities. This booklet talks about many of those and laws, policies and statutes which cover them. We suggest you read it. We must get the signed form returned or your child may not be able to attend classes. This page talks about when your child is absent from school. Only in certain cases is it permissible for a student to miss school.

Teachers build your child's education one day at a time, so every day is essential. In elementary, middle, junior, and high school, moving ahead, or even graduation, can be put in jeopardy if too many days are missed. Work with the teacher when a child must miss school. Get homework assignments and review work. There is only one chance to get a great education.

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PARENT INVOLVEMENT

■ Classroom Observations

Parents/guardians may observe instructional and other school activities that involve their child. Upon written request by a parent/guardian, the principal or designee shall arrange for a parental observation of a class or activity in a reasonable time frame providing reasonable accommodation to the parent/guardian and the teacher(s). A minimum notice of 24 hours/one school day is required, the principal or designee shall accompany the parent and, unless authorized otherwise, observations shall be limited to 20 minutes in length. The principal or designee will ensure the safety of students and staff members; prevent undue interference with instruction; and prevent harassment of school staff. The principal or designee reserves the right to deny or halt an observation that he/she believes will or is disruptive to instruction and classroom operations. [BP 1250, 5020; EC 49091.1]

■ District Advisory Committees

Parents and community member are invited to apply for membership on any of the SMMUSD District Advisory Committees (i.e. Child Care & Development, Health & Safety, Intercultural Equity & Excellence, Special Education, and Visual & Performing Arts). The purpose of these committees is to, under the umbrella of Excellence through Equity, provide a method for the public and educators to better understand the attitudes and opinions that are held in the school-community environment. The committees serve in an advisory capacity to the Board of Education. For more information, please contact the Superintendent's Office, (310) 450-8338, ext. 70229.

■ Disruption in a Public School or Public School Meeting

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500). [EC 32210]

ATTENDANCE

■ Attendance Options

A minor between the ages of 6 and 18 is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located. A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; a pupil who is a foster child who remains in his or her school of origin; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; or a pupil residing in a state hospital located within the boundaries of the school district. [EC 48200, 48204; ne]

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Many districts, by agreement, also allow the transfer of students from or to other districts (inter-district transfer). Victims of bullying or violence are given preference in intra- and inter-district transfers. In some cases, the district must provide transportation. Students attending

“persistently dangerous” schools can transfer and enroll in a safe school. Students convicted of a violent felony or convicted of a misdemeanor firearms offense may be transferred to another school in the district. Districts cannot prevent children of active military from changing districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [EC 46600, 48204, 48204.7, 48206.3, 48300, 48301, 48306, 48853.5, 48980, 49068, 51101; 20 USC 7912]

1. Intradistrict Open Enrollment

The Board of Education desires to provide enrollment options that meet the diverse needs and interests of district students, while 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 parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district. The Board shall annually review this policy.

Enrollment Priorities

Priority for attendance outside a student’s attendance area shall be given as follows:

1. The Board believes it is the best interest of students that firm ties are established between families and schools. Therefore, once a family has received an Intradistrict permit, the receiving school shall be regarded as the home school of that family, and all siblings in the family may attend that school. Enrollment of Intradistrict siblings will be

automatic, and shall not be subject to permit priorities or space availability.

2. If while on school grounds a student becomes the victim of a violent criminal offense, he/she shall be provided an option to transfer to another district school or charter school.
3. If a student attends a school designated by the California Department of Education as “persistently dangerous,” he/she shall be provided an option to transfer to another district school or charter school.
4. The Superintendent or designee may approve a student’s transfer to a district school that is at capacity and otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student.

To grant priority under these circumstances, the Superintendent or designee must have received either:

- a. A written statement from a representative of an appropriate state or local agency, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction
5. Any student whose parent/guardian is assigned to that school as his/her primary place of employment.

Application Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for Intradistrict open enrollment shall be submitted on or before the last Friday of April of the school year

preceding the school year for which the transfer is requested.

For all other applications for enrollment from outside a school's attendance area, 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. A school's capacity shall be calculated in a nonarbitrary manner using student enrollment and available space.

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 advanced learners (gifted and talented students).

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area.

Transportation

Except as required by 20 USC 6316 for transfers out of Title I program improvement schools, the district shall not be obligated to provide transportation for students who attend school outside their attendance area. [BP 5116.1 February 2019; EC 200, 35160.5, 35291, 35351, 46600-46611, 48200, 48204, 48300-48316, 48350-48361, 48980; 5 CCR 11992-11994; 20 USC 6311, 7912]

2. Interdistrict Attendance

Purpose

Students generally must attend school in the district and school where their residence has been established; however, the Santa Monica-Malibu School District Board of Education recognizes justifiable reasons for interdistrict permits. Such reasons include, but are not

limited to, having a diverse student population, supporting recruitment and retention of employees, allowing siblings to attend schools within the district, and supporting relationships with the Cities of Santa Monica and Malibu. Upon request, the Superintendent or designee may accept students from other districts and may allow students who live within the district to transfer to another school within the district or out of the district.

Operating Principles

- A. Permits of this type are to be initiated by the student's parent or guardian who attests to the fact or shows evidence that the permit would be in the student's best interests. Cancellation of the permit shall occur if certain provisions are not adhered to by the student or parent/guardian, or if overcrowding should occur at the school of acceptance.
- B. The Board is committed to providing a quality education for all district students legally enrolled and will provide fair and consistent treatment for students and parent/guardians regardless of their residence or permit status. All applications for a permit will be treated in a fair and consistent manner.
- C. The district will accept applications for interdistrict permits in grades TK through 10.
 1. All students currently attending on an interdistrict permit will be allowed to remain in the district until they leave or graduate, assuming that they submit a Verification of Continuing Enrollment annually and uphold appropriate standards of behavior, attendance, and academic effort. Failure to submit a Verification of Continued Enrollment will result in the interdistrict permit being cancelled. Interdistrict attendance permits may not be rescinded for 11th and 12th graders, or after June 30 for students completing 10th grade.

2. Interdistrict permits will be approved for Edison Language Academy, and the immersion program through Grade 10 after it is determined that accepting students with interdistrict permits is needed to achieve the language balance necessary to implement the dual-language immersion model. Applicants will be approved in manner described in the “Approval” section of this policy
3. Involuntary loss of housing resulting from: (1) apartments being removed from the rental market (Ellis Act), (2) buildings being red-tagged, or (3) evictions, should not interfere with a child completing his/her education in the Santa Monica-Malibu Unified School District. The permit office will require the applicant to obtain verification from the Rent Control Department or other appropriate legal agency. These students will be allowed to remain in their schools for the remainder of the year in which their housing has been lost. In addition, they may be allowed to remain in SMMUSD as permit students in subsequent years provided they: (a) apply for and obtain an interdistrict permit, (b) obtain the necessary release from their district of residence, (c) meet all the conditions of students attending SMMUSD on permit, and (d) submit a Verification of Continuing Enrollment annually.

D. Students who interdistrict permits have been cancelled by the District are not eligible to submit a new interdistrict permit application.

Approval

A. Final approval of permits for all students, including students needing specialized programs, including, but not limited to, advanced learners, special education, and English learners, shall rest at the district and shall be contingent upon space, budget and staff availability. Additionally, approval is

contingent on applicants demonstrating they meet requirements for retaining a permit including standards of behavior, attendance and academic effort. The district will not pay excess costs to provide specialized services to students on permit.

- B. Effective with the 2020-2021 school year, requests for new permits will be granted in the following order (Based on the timelines identified in Administrative Regulations 5117):
 1. Intradistrict permits allowing children who are residents of the cities of Santa Monica or Malibu to attend a school other than their neighborhood school;

It is the intention of the district to provide same-school placement for all siblings in a family once an intradistrict permit has been granted, except in cases where students need a specialized program that is only available on another campus.
 2. Interdistrict permits for children of employees of the Santa Monica-Malibu Unified School District [certificated, classified, management, full and part-time (a minimum of 15 hours per week);

It is the intention of the district to provide a seat in a district school (TK-12) to all children of district employees who have requested a new interdistrict permit, with the understanding that Section D will be considered. Staff will strive to accommodate requests for a specific school but will not guarantee requested placement. On-going permit holders are not affected and will continue in the home school being currently attended.
 3. If space, staffing and budget allow, interdistrict permits for:
 - a. Siblings of current interdistrict permit holders. If a permit is received (granted) there is no guarantee of same-school placement. On-going

permit holders are not affected and will continue in the home school being currently attended.

- b. Children of employees of the cities of Malibu or Santa Monica.
- c. Children of full-time, permanent employees of Santa Monica College.
- d. Children of individuals working within the boundaries of SMMUSD.
- e. Children of alumni of Santa Monica High School, Malibu High School, or Olympic High School. Parent must attach a copy of graduation diploma to the permit application.
- f. Grandchildren of individuals who have been living within the boundaries of SMMUSD for a minimum of five years.
- g. Students “in good standing” who have been attending school/s within SMMUSD as a resident of the district for a minimum period of three complete school years, and subsequently relocate outside the boundaries of SMMUSD.
- h. Students requesting to be admitted to a school in Malibu who do not meet any criteria described in Section B1-B3g.

[BP 5117 July 2020; EC 41020, 46600-46611, 48204, 48300-48316, 48350-48361, 48900, 48915, 48915.1, 48918, 48980, 52317]

The Board of Education has directed the “Other” interdistrict permit category be utilized for Malibu residents only.

Interdistrict Attendance Procedures (transfers between districts):

General Guidelines

- 1. The permit office is responsible for processing interdistrict permits.
- 2. The request for a permit is initiated by the parent at their child’s district of residence.

- 3. The parents/guardians of the child must be informed that the acceptance of their child is contingent upon the parent/guardian and the child assuming full responsibility for:
 - a. Satisfactory attendance
 - b. Satisfactory behavior
 - c. Satisfactory academic effort
 - d. Providing necessary documentation requested regarding and including child care, employment, doctor’s recommendations and guardianship documentation.
 - e. Understanding that the receiving school has the right to rescind any prior approved interdistrict permit if the parent/guardian or student does not fulfill the responsibilities listed in 3.a, b, and c above.
- 4. It is the responsibility of each school to ensure that nonresident students registered and enrolled without a valid permit be returned to the school of residence.

Conditions for Accepting and Retaining Interdistrict Attendance Permits

The school site designee and the Superintendent or designee shall approve or deny applications for transfers. The acceptance of interdistrict permits for students from other school districts to attend classes within the district shall be subject to the following:

- 1. The student seeking an initial interdistrict permit in the district must submit an SMMUSD permit application and present a permit authorizing his/her release from the school district of residence.
- 2. A release from the school district of residence is required for each permit application.
- 3. The student must be eligible to attend elementary school, middle school, or senior high school classes maintained by the Santa Monica-Malibu Unified School District and there must be an existing

opening in the class, grade level, education program and school to which the student seeking the interdistrict permit would be initially enrolled. Additionally, approval is contingent on applicants demonstrating they meet standards for retaining a permit, including standards of behavior, attendance or academic effort. The district will not pay excess costs to provide specialized services to students on permit.

4. All students currently attending on an interdistrict permit will be allowed to remain in the district until they leave or graduate, assuming that they: (a) annually submit a Verification of Continuing Enrollment to SMMUSD, (b) comply with all the SMMUSD application requirements, and (c) uphold appropriate standards of behavior, attendance, and academic effort. Failure to submit a Verification of Continuing Enrollment will result in the interdistrict permit being cancelled.
5. Interdistrict attendance permits may not be rescinded for 11th and 12th graders, or after June 30 for students completing 10th grade.
6. Students whose interdistrict permits have been cancelled by the District are not eligible to submit a new interdistrict permit application.

Conditions for Cancellation of Interdistrict Permits

The receiving school or district has the right to revoke any previously approved interdistrict permit for the following reasons:

1. Failure to submit a Verification of Continuing Enrollment, annually
2. Falsification or misrepresentation of information
3. Enrollment fluctuation
4. Unsatisfactory behavior
5. Unsatisfactory attendance
6. Unsatisfactory academic effort/achievement

7. A change in childcare arrangements
8. Inappropriate guardianship documentation
9. Reason for the original issuance of the permit by the school district of residence is no longer valid
10. Student becomes eligible for a program or class other than the one to which he/she was admitted and there is no available space in the new program or class.
11. A parent requests a transfer to another district school instead of the school his/her child was admitted.

Appeal Procedures

1. Interdistrict transfer requests that are denied by the district at the school level may be appealed by the parent/guardian to the Superintendent or designee within ten business days from the day the request for acceptance of permit is denied.
2. The appeal is to be in writing and must provide all information and detail as to why the denial is being appealed.
3. The Superintendent or designee shall review the permit appeal based on Board policy and regulations, state law, and in consultation with school site(s), parents/guardians and the appropriate district staff as necessary.
4. If the permit continues to be denied, the parent/guardian may within 30 calendar days of the denial, appeal to the Los Angeles County Board of Education
5. There is no appeal process to the Los Angeles County Board for interdistrict permits that are revoked.

Annual Report

The Board will receive a report on permits by January 31 of each year. [AR 5117 July 2020; EC 41020, 46600-46611, 48204, 48300-48316, 48350-48361, 48900, 48915, 48915.1, 48918, 48980, 52317]

Victim of a Violent Crime

A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, has the right to transfer to another school within the district. The District has 14 calendar days to offer students the option to transfer. [20 USC 7912]

Custody Issues

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

3. Attendance Where Caregiver Resides

If your child lives in the home of a caregiving adult, as defined by law, or a foster home your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the caregiving adult is required to determine that your child lives in the caregiver's home. [EC 48204(a), 48980; FC 6550-6552]

4. Attendance in District Where Parent / Guardian is Employed

The district may, but is not required to accept a transfer student whose parent/guardian

resides outside the boundaries of the school district but is employed and lives with the student at the place of the parent's/guardian's employment within the boundaries of the school district for a minimum of three days during the school week; or a student whose parent/guardian physically works within the boundaries of the school district for a minimum of 10 hours during the school week. [EC 48204(a)(7), 48980]

5. Special Enrollment Allowances for Some Categories of Students

There are enrollment provisions for some students living in the district including foster, homeless, migratory, or military children: 1) they stay enrolled at their school of origin outside the district, 2) their Individual Education Plan (IEP) indicates attendance elsewhere, or 3) the parent or guardian, with knowledge of all options, declares in writing otherwise. In some cases, they also have rights to expedited enrollment in school, to attend classes and programs (pending proof of immunization), to after-school programs, and fee waivers. The school district and each school site have complete documentation of the rights of homeless, foster, migratory, military, and other special categories of students. [EC 48204, 48204.7, 48645.3, 48850-48859, 48853.5, 51225.1, 56055; 5 CCR 4622; WIC 361, 726; 42 USC 11301, 11431-11435, 11432]

Student Immigrant and Religious Rights

All school age children must be admitted to California Public Schools and be offered all programs accessible to other students. School districts cannot ask about a student's immigrant (or migratory) or religious status. The state Attorney General has information about "know your rights": <https://oag.ca.gov/immigrant/rights>. Immigrant students are still considered residents of their current school district even if parents are deported or are being held in custody. [EC 200, 220, 234.1]

■ General Absences

Children cannot learn if they are not in school. Children learn early about being on time and not missing school; teach your child to be on time and that school attendance is an important family value. Daily school attendance improves student achievement. Children ages 6 to 18 years must attend every school day.

It is also important that you know the state does not fund districts for the excused absences listed below. Always review the school calendar and plan activities and vacations during days off. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

Other attendance reports, such as truancy, still rely on excused and unexcused absences. There are legal consequences if your child misses too much school. You must send a note and/or phone the school within 72 hours to clear any excusable absences. Parents/Guardians have the right to be notified on a timely basis if their child is absent from school without permission. Unexcused absences are recorded as a truancy.

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 or 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, including absences to care for a sick child for which the school shall not require a note from a doctor.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the 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.
11. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

- 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 therefor. 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, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil. [EC 48205, 48205.5, 48260]

Districts may allow students, with parental or guardian consent, to be excused to participate in moral or religious exercises or instruction. [EC 46014]

■ Emergency School Closure

Schools may close in the case of a natural disaster such as an earthquake, a fire, a flood, or an epidemic/pandemic like COVID-19. School officials rely on the expertise and advice of public health and safety officials in these decisions. Other means of delivering instruction will be used as possible.

■ Minimum Days / Pupil Free Staff Development Days

If your child will be affected by minimum days or staff development days, we will give you at least one month's notice. The dates that were

known at press time are printed in the calendar in this booklet. [EC 48980]

■ Leaving School at Lunch Time

"The governing board of the Santa Monica Malibu Unified School District, pursuant to Section 44808.5 of the Education Code, has decided to permit pupils enrolled at Malibu High School (grade 12) and Santa Monica High School (grades 10 through 12) to leave the school grounds during the lunch period. Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section." [EC 44808.5]

■ Individualized Instruction

You must notify the school if your child has a temporary disability and cannot attend regular classrooms. If your temporarily disabled child is located outside your school district, notify both the district where your child resides and where the child is located. Within five (5) days of notice, the district(s) will determine if the student qualifies, and within five (5) days of the determination commence instruction in the home or in a hospital or other residential health facility. The district(s) will notify you if your child qualifies, when instruction will begin and for how long it will continue. Each hour of instruction at home or in a facility will count as a full day but cannot exceed 5 days per week nor the number of days in the school year. [EC 48206.3, 48207, 48207.5, 48208, 48980]

■ Pregnant or Parenting Students

Pregnant or parenting students who are 18 years old or who have permission from their parent/guardian may have excused leave for up to 8 weeks or more without having to complete schoolwork or other requirements, or being subject to penalties. They may return to the same school and courses, and be provided time

to make up work. They may choose to attend an alternative program with access to comparable courses, programs and activities. They may have a fifth year to complete high school graduation requirements unless administration determines they are capable of completing graduation requirements in four years. Complaints about these rights can be made using the Uniform Complaint Procedure. [EC 46015, 48200, 48980]

■ **Truancy (Unexcused Absences)**

When a student misses school without an excuse they are considered truant, and the school will notify the parent/guardian. The state defines three levels of truancy, each carrying more severe penalties for both the student and the parents or guardians. A student is classified as;

Truant: after missing three days of school or three 30-minute periods without a valid excuse

Habitual Truant: if they are truant three or more times in a school year and an effort is made to meet with parents

Chronic Truant: if they miss 10 percent or more of the school days in a school year.

Early intervention and cooperation between the school and the family is the best way to support student learning. A student who is truant can be referred to a student attendance review board (SARB), a community service program, the county probation department, or to the district attorney. Through these programs the student can be given guidance toward improving attendance. The goal is to intervene before a student enters the juvenile justice system or drops out of school. Parents are urged to use community services identified by the school or District, a SARB, the District Attorney, or Probation department. Students and parents face penalties as defined in Education Code, Welfare and Institutions Code, and Penal Code. [EC 48260, 48260.5, 48261, 48262, 48263, 48263.5, 48263.6, 48264.5, 48291, 48293,

48320; PC 270.1, 830.1; WIC 256, 258, 601, 601.3; VC 13202.7]

■ **Notice of Alternative Schools**

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects. (d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process. (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, 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 unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. [EC 58501]

INSTRUCTION AND CURRICULUM

■ District Courses

Annually, the district refines its curriculum through the work of teacher teams. Course titles, aims, and descriptions are updated based on CA State Standards and Board of Education approval. Parents/Guardians have the right to review all course material. [EC 49091.14, 51101; PPRA; ne]

■ School Counselors

School counselors are trained educators possessing a valid teacher credential with a specialization in pupil personnel services. Counselors help students in grades 7-12 make decisions about their courses, extra-curricular activities, and preparation for college and/or careers. They guide students through all the steps including information about financial aid, academic requirements, and careers. Counseling related to academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities will be available to all students without regard to their gender or gender identity, the gender listed in their records, or any protected group as listed under “Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs” on page 39. Most counselors are available by appointment and will meet with students and their families. The District Uniform Complaint Procedure may be used to file a complaint. [EC 221.5, 221.8, 48980, 49600, 48900, 51229; GC 11135; Title VI, Title IX; § 504; CIF 300D]

■ California State Academic Standards

Each district in California decides how they will teach and what resources they will use to reach adopted common-core academic

standards. More information can be found at www.cde.ca.gov/re/cc/ or www.corestandards.org. California launched a computer-based student testing system that ties to the standards for English language arts, mathematics, and science called the California Assessment of Student Performance and Progress (CAASPP). The tests include the Smarter Balanced Assessment Consortium Assessments, California Science Tests (CAST), California Alternate Assessments (CAA), and Standards-based Tests in Spanish (STS) for Reading/Language Arts. Parents can exempt their child(ren) from CAASPP testing by submitting a letter in writing annually. More information about the CAASPP can be found at www.cde.ca.gov/ta/tg/ca/. [EC 60119, 60604.5, 60615]

Per California Education Code section 60615, parents can opt their children out of the following 2021-22 CAASPP testing by submitting a written letter to their child’s school: Smarter Balanced Summative Assessments for English language arts/literacy (ELA) and mathematics in grades 3 through 8 and 11; Alternative Assessments for ELA and mathematics in grades 3 through 8 and 11; Science assessments in grades 5, 8, and 10 (i.e., California Standards Tests (CST), California Modified Assessments (CMA), and California Alternative Performance Assessment (CAPA). Parents who want to opt out their child from CAASPP testing must submit this letter annually. More information about the CAASPP can be found at www.cde.ca.gov/ta/tg/ca/. [EC 60119, 60604.5, 60615; ne]

■ LCFF and LCAP

The LCFF (Local Control Funding Formula) changed the way the State provides money to school districts. Under this system, school districts receive a uniform base grant for every student, adjusted by grade level. Plus they receive adjustments for the number of students living in poverty, English learners, and foster youth. Then there are further adjustments

for concentration of these groups if they are above 55% of the district’s enrollment. More information about the LCFF is available at www.cde.ca.gov/fg/aa/lc/.

The LCAP (Local Control Accountability Plan) is a critical part of the LCFF. Each school district is required to engage parents, students, educators, employees, and the community to establish their plan. The LCAP must focus on eight areas identified as State priorities:

- | | |
|--------------------------------------|-------------------------|
| 1. Basic Services | 5. Pupil Engagement |
| 2. Implementation of State Standards | 6. School Climate |
| 3. Parental Involvement | 7. Course Access |
| 4. Pupil Achievement | 8. Other Pupil Outcomes |

The plan must describe the overall vision for students, annual goals including language acquisition, and specific action to achieve these goals. The plan will demonstrate how the district’s budget will help achieve the goals, and annually assess how well the strategies improved outcomes. Anyone can comment about proposals or expenditures to the school board; at parent, student, community engagement meetings; at staff LCAP meetings; or to the district LCAP Advisory Committee. Complaints regarding LCAP may be filed anonymously or using the district Uniform Complaint Procedures. [EC 305, 47606.5, 47607.3, 52060-52076, 5 CCR 4600, 4622]

Language Acquisition Programs

SMMUSD is required to provide a Structured English Immersion (SEI) program option. If you choose this option your child will be placed in a classroom that uses mostly English for instruction. (See the description below.) SEI is offered at every school site with the exception of Edison Elementary which is a Dual-Language Immersion program.

We also offer a Dual-Language Immersion program at Edison Elementary, John Adams

Middle School and Santa Monica High School (Samohi). If you are interested in this option, please contact the school site to learn about the admissions process. If accepted through the admissions process, your child will be placed in a classroom that uses English and Spanish for instruction.

Requesting a Language Acquisition Program

Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible, and provides instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards.

Description of Program Options and Goals for English Learners

A description of the language acquisition programs provided in the Santa Monica-Malibu Unified School District are listed below.

1. **Structured English Immersion (SEI) Program:**
A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for pupils who are learning English. At minimum, students are offered ELD and access to grade level academic subject matter content.
2. **Dual-Language Immersion (DLI) Program:**
Also referred to as Two-Way Immersion. A language acquisition program that provides language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. This program begins in Transitional Kindergarten and continues to twelfth grade.

Parents/Guardians may choose the Structured English Immersion (SEI) program or may apply for the Dual-language Immersion

program. Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible.

Parents may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan. If interested in a different program from those listed above, please contact your school site principal. [EC 306(c), 310(a), 310(b); 5 CCR 11310]

Parents/Guardians have a right to opt their child(ren) out of the school district's language acquisition program or opt out of particular English learner service(s) within a language acquisition program. [20 USC 6312(e)(3)(A)(viii)]

■ Curriculum and Personal Beliefs

Whenever any part of the instruction in comprehensive sexual health, sexual abuse, or human trafficking prevention education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction if you request an excuse in writing. No student shall be penalized, sanctioned, or disciplined for such an excuse, and shall have an alternative education activity available. [EC 51240, 51938, 51950]

Family Life, Human Development, and Sexual Health Education

Your child will be taking classes in compliance with the California Healthy Youth Act (CHYA) which took effect in 2016. These will include comprehensive sexual health education, HIV education, and research findings regarding pupil health behaviors and risks. Students in grades 7-12 will gain a deeper understanding of HIV transmission, prevention, and treatment. They will gain the knowledge and skills for

healthy attitudes on adolescent growth and development, body image, gender, sexual orientation, relationships, marriage and family. They will also be taught about the prevalence of human trafficking and the methods traffickers employ, including social media and mobile devices. You will be notified before such instruction. Any written and audio-visual educational materials planned for use are available for inspection prior to the start of classes. You may have copies of non-copyrighted material that will be presented by a consultant or guest speaker. You have a right to request, in writing, that your child not participate in lessons about comprehensive sexual health and HIV prevention education, as well as research on student health behaviors and risks. However, as stated in EC 51932(b), the CHYA opt-out does not apply to instruction or materials outside the content of comprehensive sexual health education, including those that reference gender, gender identity, sexual orientation, discrimination, bullying, relationships or family. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. In this District, consultants, guest speakers, credentialed teachers or nurses give such instruction. Parents will receive notice of the dates, name of organizations, and affiliation of speakers by mail or other commonly used method of notification at least 14 days prior to the dates of the class or assembly. During this class, students in grades 7-12 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes toward health, sex, and risk behaviors. Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the district or can be obtained online at www.leginfo.ca.gov. [EC 51932, 51933-51939; ne]

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education except as noted in EC 51932 (b)
3. Request a copy of Education Codes 51930-51939
4. Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants
5. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
 - a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker

Sexual Abuse and Sexual Assault Prevention

Authorizes school districts to provide age-appropriate instruction for students in kindergarten through grade 12, in sexual abuse and sexual assault awareness and prevention. Parents or guardians may submit a written request to excuse their child from participation in any class involving sexual abuse and sexual assault awareness and prevention. [EC 51900.6]

Tests / Surveys on Personal Beliefs

You and/or your child(ren) over 18 will be notified before administration of any confidential test, questionnaire, or survey containing questions about your child's, or your personal beliefs, political practices, mental health, anti-social, illegal, self-incriminating, demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships

such as ministers or doctors, income (unless to determine eligibility for receiving financial assistance), sex, family life, morality, or religion. You will be asked for written permission except for exempt surveys (in grades 7-12) that are part of sexual health programs or State surveys. Parents may opt their child(ren) out of all surveys, without penalty, including those seeking information to be used in marketing. Parents have the right to review any survey or educational materials related to the survey on any of the above items. The District has developed policies relating to surveys and personal information. Notice will be sent to parents prior to such test or survey. If you believe your rights have been violated, you may file a complaint with the Family Policy Compliance Office at U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920. [EC 51513, 51938, 60614; 60615; PPRa; 34 CFR 98; ESEA]

Dissection of Animals

If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection. [EC 32255]

■ University of California / California State University Admissions

Admission to the California State Universities requires a minimum 15-unit pattern of courses for admission as a first-time freshman. Each unit is equal to a year of study in a subject area. A GPA of 2.0 (C) or higher is required for regular admission. Admittance is based on an eligibility index that combines multiple items. Transfer students are accepted.

Admission to the University of California requires completion of the 15 yearlong high school course list. These courses are also known as the “a-g” subjects. At least seven of the 15 yearlong courses must be taken in the students last two years of high school. A GPA of 3.0 (B) or higher is required for California residents. [EC 48980, 51229]

Links to University of California/California State University requirements: www.universityofcalifornia.edu/admissions/undergraduate.html, www.calstate.edu/datastore/admissions.shtml, www.csumentor.edu/planning/high_school/, www.ucop.edu/doorways/

Definition of Career Technical Education

A program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. More information is available about Career Technical Education at

CA Department of Education, www.cde.ca.gov/ci/ct

LA County Office of Education, www.lacoe.edu/Curriculum-Instruction/Career-Technical-Education

Association for Career & Technical Education, www.acteonline.org/why-cte/what-is-cte [EC 48980, 51229]

SCHOOL RECORDS AND STUDENT ACHIEVEMENT

■ Pupil Records

Parents, guardians, foster parents, certain caregivers, and students over 18 have the right to review, inspect, and get copies of school records within five business days of a written or oral request or before any meeting regarding

an individualized education plan (IEP) or a hearing. Those records are confidential, and privacy will be maintained. Student records are provided to schools where student transfers or wants to enroll. In some instances, information about your child may be released to District staff, foster agencies, short-term residential treatment programs, after school programs, summer camps, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, discipline letters, commendations, attendance, and health. The records are maintained at the school site by the principal. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location. District policy or administrative regulation 5125 sets forth the criteria by which school officials and employees can look and change or delete the files and why. Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made for twenty-five cents (25¢) per page. If you cannot afford the cost of copies, they will be provided free of charge. With the proper documentation, the records can be changed to reflect a legal change of name and/or gender of a student or a former. You also have the right to file a written request with the superintendent challenging the records if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer’s expertise, a comment not based on personal observation with time and date noted, misleading information, or a violation of privacy rights. You can file a complaint about how your request was handled with the district or with United States

Department of Education. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [EC 8484.1, 49060, 49062.5, 49063, 49068, 49069.3, 49070-49079.7, 51101, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR Part 99]

Student Data from Social Media Websites

School Districts may now adopt a plan to gather student information from social media websites. The Governing Board has not adopted such a plan, but may consider it in the future. The information would pertain only to student or school safety, and must be destroyed within one year of the student leaving the district or turning 18. [EC 49073.6]

Pictures, Press Releases, and Publicity

The Santa Monica-Malibu Unified School District, the Santa Monica Malibu Education Foundation, and the Santa Monica-Malibu PTA Council work cooperatively with the local and metropolitan media to keep the community informed about school activities and student achievement. Directory-type information may be used to identify students in such news stories. Photographs of groups of students, such as at a school event, may also be published provided the students' names are not included and whose parents/guardians have requested no publication. Please review, sign, and return the Student Release Form (General Filming & Recording).

Regulations Regarding Pupil Achievement

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be

used. The progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student's ability, citizenship and effort. [EC 49067]

School Accountability Report Card

The School Accountability Report Card is available on request, and is available annually by February 1st on the internet at www.smmusd.org/domain/139. It contains information about the district and school regarding the quality of programs and its progress toward achieving stated goals. A copy will be provided upon request. [EC 33126, 32286, 35256, 35258, 51101]

Teacher Qualifications

A provision of this Title I part of the law requires all districts to notify parents of all children in Title I schools that they have the right to request and receive timely information on the professional qualifications of their children's classroom teachers and paraprofessionals. [ESEA; 20 USC 6311; 34 CFR 200.61]

Release of Directory Information

The school is responsible for keeping students records. Both parents have absolute access to records unless prohibited by court order. These records, including supplementary records are under the general custodianship of the Director of Student Services, 1651 Sixteenth St., Santa Monica, CA 90404.

With the exception of directory-type information, the law limits access to information in student records without parental consent to, generally: school and district personnel with legitimate education interest; a school to which a student is transferring, in which case the parent is notified by the school district requesting the record or transfer of information; specified federal and state education administrators; prospective grantors of students financial

aid; state and local agencies concerned with the health and safety of students in cases of emergency, immunization programs and programs for the control of communicable disease.

Unless authorized by state and/or federal law or regulation, no other requests for student information by individuals or organizations will be honored without a written statement signed by the parent that authorizes its release.

Unless prohibited by a parent's request, the following directory type information will be released; student's name, address, telephone number, email address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous school attended by the student.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district or your school site in writing by September 1st of each school year.

Any combination of the above could be released, along with student's voluntary response to District-approved tests or surveys.

Organizations that may request directory-type information are: media, PTA and other school-affiliated organizations, Santa Monica Education Foundation (SMEF), employers or potential employers, private and public schools and colleges approved by the California State Superintendent of Public Instruction and Universities, employment/ recruitment representatives of private industry, state and local government agencies including law enforcement, and U.S. military forces. Individuals or organizations doing educational research with District approval. [EC 49061(c), 49070, 49073(c), 56515; FERPA; ESEA; ne]

■ School Safety Plan

Every year, each school shall review and update its plan by March 1. Each school shall make its plan public and shall share the plan with numerous community leaders, school site personnel, and parent groups. Plans should, among other things, provide guidance for the response to and/or the prevention of bullying, child abuse, disasters, and criminal activity. Key elements are to be described in the School Accountability Report Card. Planned responses to criminal incidents need not be disclosed. The Uniform Complaint Procedure can be used regarding School Safety Plan compliance. [EC 32281, 32282.1, 32286, 32288, 32289, 51101]

STUDENT SERVICES

■ Student Meal Program

The District's Food Service Department serves breakfast and lunch daily, and seeks to ensure no child is denied meals. The meal program is self-sufficient so that other student services are not impacted when meals are not paid for. Parents/Guardians may pay for meals in advance online at www.smmusd.org/Page/4081 or by contacting the school office. The District will contact you if your account is behind the equivalent of three (3) complete meals. The District may be able to create a repayment plan or to explain the Free and Reduced meal plan; participation in the plan is confidential. [EC 49510-49520, 49558; 42 USC 1761(a)]

■ Student Use of Technology

The Board of Education intends that technological resources provided by the district be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

Teachers, administrators, and/or library media specialists are expected to review the

technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Agreement.

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Before a student is authorized to use the district's technology, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology, including,

but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 - Student Records.

Whenever a student is found to have violated Board policy 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 equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy,

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using district's technology and to help ensure that the district adapts to changing technologies and circumstances.

Internet Safety

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to

minors and that the operation of such measures is enforced.

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

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. (Penal Code 313)

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying 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, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying. [BP 6163.4 October 2017; EC 49073.6, 51006, 51007, 60044; PC 313, 502, 632, 653.2; 15 USC 6501-6506; 20 USC 6751-6777; 47 USC 254; 16 CFR 312.1-312.12; 47 CFR 54.52]

■ Services to Students with Disabilities

If you have reason to believe your child (ages 0 through 21 years) has a disability requiring special services or accommodations, contact the school. Your child will be evaluated to determine whether he/she is eligible for free special or modified instruction or services.

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools. The District has policies guiding procedures for identification and referral. Students identified with special needs will receive a Free Appropriate Public Education in the least restrictive environment. [EC 48853, 56020 et seq., 56040, 56301; 5 CCR 4622; 20 USC 1412, (10)(A)(ii), 1412(a)(6)(A); 34 CFR 300.121]

■ Advanced Placement Examination Fees

State funding is available to qualified low-income students to assist in paying all or part of Advanced Placement exams. [EC 48980, 52240]

■ Pupil Fees

District students are not required to pay any fee, deposit, or other charge for participation in

any educational activity offered by a school or by the district, with limited exceptions authorized by law. The following is additional information related to fees, donations and the limited fee authorizations:

Pupil Fees: No fees or deposits can be required or collected for items including, but not limited to, materials, supplies, equipment, uniforms (i.e. band, cheerleading, basketball), lockers, locks, books, class apparatus, musical instruments.

Educational Activity Fees: No fees can be required or collected for student participation in an event or activity, either curricular or extracurricular, that is an essential part of a student's education or for transportation to those events. There can be no fees required for registering or participating in regular or extra classes.

Voluntary Donations: While voluntary donations may be suggested for activities, no student may be denied participation based on a family's decision regarding making a donation.

Exceptions – When fees may be required: By law, there are exceptions to the prohibition against charging fees or deposits. Exceptions include, but are not limited to, transportation to non-essential activities, non-essential events where attendance is optional (such as a school dance), food served to students, damage to district provided materials such as textbooks, cost of community service classes, and fingerprinting. Money may also be collected for material used for projects that a student will be taking home, such as, material used in a career class like woodshop or sewing. The Uniform Complaint Procedure can be used regarding pupil fee compliance. A complaint may be filed with the school principal and may be filed anonymously.

[EC 17551, 17552, 19911, 32030-32033, 32220-32224, 32390, 35330, 35331, 35335, 38084,

38118, 38120, 39807.5, 48052, 48053, 48904, 49010-49013, 49063, 49065, 49066, 51815, 52373, 52612, 52615, 52920-52922, 60070; 5 CCR 4610, 4630; ne]

HEALTH SERVICES

■ Immunizations

Documented proof that immunizations are up-to-date is required before attending school. In limited circumstances, a child may be admitted on condition if all vaccines are “currently up to date” per California School Immunization Law. If the vaccine becomes overdue, the child will be excluded from attendance until the state immunization requirements are met. Students may not enroll in grades TK/K-12 or participate in a classroom setting unless they have been fully immunized against diphtheria, tetanus, pertussis (whooping cough), Poliomyelitis, hepatitis b, Measles, mumps, rubella, and varicella. Students must be fully immunized for varicella (chickenpox) or provide proof from a doctor stating the date they had the disease. Pre-school students must also be fully vaccinated against Haemophilus influenza type b.

All new students in grades TK/K-12 must be fully immunized. All students entering grade 7 will not be admitted without the required booster against pertussis (Tdap) and a second varicella vaccine. The required immunizations are available through a usual source of medical care, County Health Department, a school health clinic, or may be administered by a health care practitioner acting under the direction of a physician. Immunizations may be given at school. There may be funds for those who cannot access services. Homeless, foster, migratory, and military youth can be enrolled without proof of immunization. [HSC 120325, 120335, 120338, 120375, 120400, 120405, 120410, 120415, 120440, 120480; EC 48216, 48852.7, 48853.5, 49403; 17 CCR 6000-6075; 42 USC 11432(C)(i); ne]

Exemptions

These requirements do not apply if a form as outlined below from a licensed physician cites why they should not. A parent or guardian must submit a signed, written statement from a physician (MD or DO) licensed in California which states: The specific nature of the physical condition or medical circumstance of the child for which a licensed physician does not recommend immunization, each specific required vaccine that is being exempted, whether the medical exemption is permanent or temporary, and if the exemption is temporary, an expiration date not more than 12 calendar months from the date of signing. The physician submits the standardized electronic form directly to the California Immunization Registry (CAIR) and to the school for exemption; this is the only form the school will accept. The form will include physician information, the child's name and their school, the parent's/guardian's name, and the specific basis for and duration of the exemption.

If an outbreak of a communicable disease occurs, a non-immunized or under-immunized student will be excluded from school for their own safety until such a time as directed by the department of public health officials or district administration.

Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying the County Health Department listed in this section. [HSC 120325, 120335, 120338, 120370, 120372, 120372.05; EC 48216; ne]

If you need further information on immunizations, please go to shotsforschool.org.

Communicable Diseases

Anything to the contrary withstanding, the governing board of any school district will cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases in school

age children. For that purpose, the board may use any funds, property and personnel of the district, and may permit a licensed physician and surgeon to administer an immunizing agent to any student whose parents have given written consent to the administration of such an immunizing agent. If an outbreak of a communicable disease occurs at a school, the non-immunized student will be excluded for his/her own safety until such time as directed by health officials or district administration. Full cooperation with the Public Health Department is expected when requested during an outbreak. [EC 49403; ne]

Physical Examinations

For each child enrolling in the district for the first time, including for kindergarten or first grade, the parent or guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file a waiver with the school district stating the reasons you are unable to obtain such services. You may have your child immunized at the same time that the physical examination is conducted. [EC 49450; HSC 124085, 124100, 124105]

These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHDP). For information, you may contact:

Westside Family Health Center
3861 Sepulveda Blvd. Culver City, CA
90230
(310) 450-4773 – www.wfhcenter.org

or

Venice Family Clinic,
Simms-Mann Health and Wellness Center
2509 Pico Boulevard, Santa Monica, CA
90405
(310) 392-8636 – <https://venicefamilyclinic.org>

If you want your child to be exempt from physical examinations at school, file a written statement annually with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist. [EC 49451; PPRA]

Kindergarten and / or First Grade Oral Health Assessment

Many things impact a child's school progress and success, including health. Children must be healthy to learn, and children with cavities are not healthy. Baby teeth are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school.

Parents or guardians must have their child's oral health assessed and have proof of the assessment by May 31 of the student's first school year (kindergarten or first grade). Assessments within the 12 months before the child enters school also meet this requirement. The assessment must be done by a licensed dentist or licensed or registered dental health professional. [EC 49452.8]

Vision and Hearing Screening

An authorized person will check your child's vision and hearing upon enrollment (unless the student enters the district in grade 4 or 7) and in grades Kindergarten, 2, 5, and 8. A hearing screening will be completed in grade 10. These tests will/may be administered unless you annually present to the school a certificate from a physician or optometrist verifying prior testing, or submit a letter denying consent. [EC 44878, 49451, 49452, 49455; ne]

■ Administration of Prescribed Medication

The parent or legal guardian of any pupil requiring medication on a regular basis must inform the school nurse of the medication being taken. The school nurse may communicate with the physician and may counsel with the school personnel as needed regarding pupil medication.

Any pupil who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel with medication administration. The pupil may carry and self-administer auto-injectable epinephrine or inhaled asthma medication. In order for the school to administer or assist with administration of any medication, parents must submit the following to the school district: 1) a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken, and 2) a written statement from the parent or guardian requesting the school district assist the pupil with prescribed medication as set forth in the physician statement. At secondary school sites, designated staff may administer pain relieving medication such as ibuprofen or acetaminophen or diphenhydramine (Benadryl®) for an allergy if the parent has submitted a written and signed statement that they would like such medication administered. [EC 49423, 49423.1; ne]

■ Notice of Emergency Treatment for Anaphylaxis

Anaphylaxis is a rapid, life-threatening severe allergic condition requiring immediate treatment. Therefore, SMMUSD has adopted a policy for giving life-saving epinephrine to students in need of such treatment. This policy states that credentialed, licensed school nurses or trained, unlicensed school staff under the direct or indirect supervision of the credentialed school nurse, may administer epinephrine in the

form of an auto-injectable epinephrine during a severe, life-threatening, allergic reaction. [BP 5141.27 August 2009; EC 49414]

■ Sun Protection

Students when outdoors can wear sun protective clothing, including, but not limited to hats. [EC 35183.5] Students may also apply sunscreen during the day without a doctor's note or prescription. [EC 35291, 35294.6]

■ Medical and Hospital Insurance for Students

The district DOES NOT provide insurance on individual students. However, you may purchase accident insurance through the district for medical and hospital services covering your child. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities. The school district assumes no liability for accidents to pupils at school. [EC 32221.5, 49472]

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. [EC 49471]

Enrollment in a Health Care Plan

All children enrolling in kindergarten, first grade, or transferring into the district and their families must be enrolled in a health care plan. There are several options for getting a health plan; through an insurance agent, or low cost

provider such as Medi-Cal and Covered California at (800) 300-1506 or online at www.coveredca.com. [EC 49452.9; PPACA]

School-Sponsored Athletics

If a student participates in school-sponsored athletics other than physical education or athletic event during the school day, parents/guardians and the student athlete are required to annually; (1) complete a concussion awareness form, (2) complete a sudden cardiac arrest awareness form, and (3) sign a document acknowledging receipt of an Opioid Factsheet received either in print or electronic format. [EC 33479, 49475, 49476]

High school athletes must sign a pledge they are not using steroids illegally or they will not be allowed to participate. Parents must sign a form notifying them of the restriction. [EC 49033, 60041; HSC 11032]

■ Concussion

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district, charter school, or private school that elects to offer an athletic program must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider.

On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course. [EC 49475; ne]

■ Casts, crutches, wheelchairs

Students returning to school with ace wraps, braces, boots, slings, a cast, crutches or wheelchair must bring a doctor's note.

■ Access to Mental Health Services

School-based mental health services help address barriers to learning and provide appropriate student and family support in a safe and supportive environment. Reaching out for mental health services is simple; contact your school counselor, nurse, health aide, principal, or the district office. In the community a good place to start may be to dial 211 for referrals in your area or call Los Angeles Co. Mental Health Services at (213) 738-4601. If you are in crisis contact this number or dial 911 immediately. [EC 49428]

Suicide Prevention

Suicide is a leading cause of death among youth and school personnel is often in a position to recognize warning signs. The District makes an effort to reduce suicidal behavior and its impact and has developed strategies to intervene. These may include staff development, student instruction in coping skills, informing parents/guardians, methods for promoting a positive school climate, crisis intervention, and counseling (including for bereavement). Information about district programs and services and links to community and statewide resources are available on the District's website at www.smmusd.org/Page/4057. [EC 215, 234.5, 234.6, 49060-49079, 49602, 49604; GC 810-

996.6; PC 11164-11174.3; WIC 5698, 5850-5883; BP 5141.52]

■ Schools Free of Tobacco, Alcohol, and Drugs

The Board has adopted Tobacco-Free, Drug-Free, and Alcohol-Free campus policies to promote student health and well-being. The District strives for a school environment free of these substances and has prevention and intervention programs. There may be programs through the district or in the community to support students' cessation from use of tobacco, alcohol, or drugs. For more information please contact the school/district nurse or a school administrator. [EC 51202-51203, 51260-51269; HSC 104420, 11999-11999.3; PC 13864]

All Santa Monica-Malibu Schools are Tobacco Free

■ Type-2 Diabetes Information

Type-2 diabetes is the most common form of diabetes in adults; it is becoming more common in children, especially overweight teens. According to the US Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type-2 diabetes. Researchers do not completely understand why some people develop type-2 diabetes and others do not.

Normally, the body turns the carbohydrates in food into sugar (glucose) for energy, the basic fuel for the body's cells. The pancreas makes insulin, which moves glucose from the blood to the cells. In type-2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise. Over time, glucose reaches dangerously high levels in the blood, which can lead to health problems like heart disease, blindness, and kidney failure.

Risk Factors:

It is recommended that students displaying or possibly experiencing the risk factors and

warning signs below be screened for type-2 diabetes:

Being overweight: The single greatest risk factor for is excess weight. In the US, almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.

Family history of diabetes: Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.

Inactivity: Being inactive further reduces the body's ability to respond to insulin.

Specific racial/ethnic groups: Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type-2 diabetes.

Puberty: Young people in puberty are more likely to develop type-2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms:

Not everyone with insulin resistance or type-2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has type-2 diabetes. Warning signs and symptoms develop slowly, and initially there may be no symptoms:

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms

- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fats levels

Prevention and Treatment:

Healthy lifestyles can help prevent and treat type-2 diabetes. Eating healthy foods in the correct amounts and exercising regularly (at least 60 minutes every day) can help children achieve or maintain a normal weight and normal blood glucose levels.

The first step is to visit a doctor who can determine if your child is overweight. A doctor can prescribe medication if appropriate and can order tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (may lead to type-2 diabetes).

Diabetes Screening Tests Available:

Glycated hemoglobin (A1C) test: A blood test measures the average blood sugar level over two to three months

Random (non-fasting) blood sugar test: A blood sample is taken at a random time; this test must be confirmed with a fasting blood glucose test.

Fasting blood sugar test: A blood sample is taken after an overnight fast; a high level on two separate tests indicates diabetes.

Oral glucose tolerance test: A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid.

Type-2 diabetes in children is a preventable/treatable disease and the information provided in this booklet is intended to raise awareness about this disease. Contact your student's school nurse, school administrator, or health care provider if you have questions. [EC 49452.7; HSC 104250]

■ Confidential Medical Services

School authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. [EC 46010.1]

STUDENT BEHAVIOR

SMMUSD is committed to providing school environments that promote the safety of students, employees, parents and visitors to our campuses. We recognize the importance of ensuring safety; and protecting district property, facilities and equipment from vandalism and theft. Wherever necessary, SMMUSD makes reasonable use of surveillance systems including cameras. Appropriate signage will be posted on campuses and on school buses notifying students, staff and the general public of the district's use of surveillance systems. The use of surveillance systems is for the protection of district property and assets, and to maintain safety and discipline. Recordings may be used in disciplinary proceedings, and matters captured may be referred to local law enforcement, when appropriate. [BP 3515, 3515.11]

■ School Rules

You have a right to review school and district rules regarding student discipline. If you wish to do so, please contact the school office. [EC 35291, 48980, 51101]

■ Safe Place to Learn

It is State and District policy to improve student safety, connections between students and supportive adults, and connections between schools and communities. These policies prohibit discrimination, harassment, intimidation, and bullying at all school sites or at any school sponsored activity. School site staff trained in anti-bias shall be made known to students. When safe to do so, District employees must intervene immediately when they see

discrimination, harassment, intimidation or bullying. Certificated staff in grades 7-12 grades get information about helping LGBTQ students. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, bullying; and cyber-bullying including social-media bullying are available on the District's website at www.smmusd.org/cms/lib/CA50000164/Centricity/Shared/SchoolSafetyPlan.pdf and online at www.cde.ca.gov, www.cde.ca.gov/lr/ss/se/bullyfaq.asp, www.cde.ca.gov/lr/ss/se/bullyres.asp, www.cde.ca.gov/lr/ss/vp/ssresources.asp, www.californiahealthykids.net.

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer(s) listed on page 39 for assistance. [CE 200, 215, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234, 234.1, 234.4, 234.5, 234.6, 51101, 66250, 66260.6, 66270; CP 422.55, 422.6; 5 CCR 4900; BP 5131.2]

■ Digital Communication Devices

Districts may regulate the possession or use of any cellphone, smartphone, pager or electronic signaling device while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. Students cannot be stopped from using such a device when: there is an emergency; there is a perceived threat of danger; when a teacher or administrator has said it is acceptable; or if it is part of an individualized education program (IEP). Possession or use is allowed if essential to student's health as determined by a licensed physician or surgeon. [EC 48901.5, 48901.7]

■ Parent Responsibility

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$21,200 in damages and another maximum of \$11,700 as adjusted annually by the California Department of Education for payment of a reward, if any. With a few exceptions, the school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. Civil penalties may also be enforced with fines up to \$25,000. [EC 48900.1, 48904, 51101; CC 1714.1; GC 53069.5]

Vandalism

Graffiti and scratching glass or other material on someone else's property is now considered vandalism and those convicted face fines, imprisonment and the requirement to clean up the damage or perform community service. Parents/Guardians may be liable to pay fines as high as \$10,000 and be required to participate in the clean up. [PC 594]

■ Laser Pointers

Possession of laser pointer by any student is prohibited on any elementary or secondary school premise, unless possession is for valid instruction. The beam of a laser pointer is prohibited from being directed into the eyes of

another or into a moving vehicle or into the eyes of a guide dog. [PC 417.27]

■ Electronic Listening or Recording Device

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action. [Penal Code 632; EC 51512, 78907]

■ Impersonation on the Internet

Pretending to be another pupil or real person other than yourself on the internet or through other electronic methods to harm, intimidate, threaten or defraud is punishable by a \$1,000 fine or imprisonment for up to one year. [EC 48900; PC 528.5]

DISCIPLINE AND CAMPUS SECURITY

■ Controlled Substance

In accordance with Board Policy 5131.61, in cases where the principal or Superintendent determines, in the presence of hard evidence, that the student sold or provided a controlled substance or alcoholic beverage or intoxicant of any kind, to others, the principal shall recommend that the student be expelled from school, unless the principal finds, and so reports to the superintendent/designee in writing, that the expulsion is inappropriate under the particular circumstances of the case.

■ Drugs, Alcohol, and Tobacco

Possession or use of illicit drugs (including cannabis), alcohol, or any tobacco product on

District premises or at any District activity is strictly prohibited.

A student in possession or under the influence of marijuana (cannabis), concentrated cannabis, or any synthetic cannabinoid is subject to suspension or expulsion. A student under 18 also faces up to forty (40) hours of community service, ten (10) hours of drug education, and sixty (60) hours of counseling; a student 18 or older can be imprisoned for up to six (6) months and/or be fined up to \$1,000. It is illegal for anyone under 21 to possess cannabis or synthetic cannabis.

Possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or 30 hours of community service except for members of the military.

Except for members of the military, possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or thirty (30) hours of community service. Possession of approved tobacco cessation aids is not prohibited. A “tobacco product” is any product made or derived from tobacco or nicotine that is intended for human consumption, including an electronic device that delivers nicotine (commonly known as “e-cigarettes” or “vaping”). [EC 48900, 48901; HSC 11357, 11357.5, 11361, 11362.1, 11362.3, 104495, 104559; PC 308; VC 13202.5; BPC 22950.5, 25608; 20 USC 812, 814]

■ Grounds for Suspension or Expulsion

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

(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.

(2) Willfully used force or violence upon the person of another, except in self-defense.

(b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

(d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

(e) Committed or attempted to commit robbery or extortion.

(f) Caused or attempted to cause damage to school property or private property.

(g) Stole or attempted to steal school property or private property.

(h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil’s own prescription products.

(i) Committed an obscene act or engaged in habitual profanity or vulgarity.

- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020.
- (3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
 - (B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.
 - (C) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.
 - (D) Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (2) (A) "Electronic act" means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- (i) A message, text, sound, video, or image
 - (ii) A post on a social network internet website, including, but not limited to: (I) Posting to or creating a burn page. "Burn page" means an internet website created for the purpose of having one or more of the effects listed in paragraph (1); (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the

pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

- (iii) (I) An act of cyber sexual bullying;
- (II) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act;
- (III) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
- (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.
- (w)(1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
- (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community. [EC 35291, 48900, 48901.1, 48910]
- Additionally, sexual harassment, hate violence, harassment, intimidation (grades 4-12) and threats and terroristic threats against school officials or school property or both (all students) may be recommended for suspension or expulsion. [EC 212.5, 233(e), 48900.2, 48900.3, 48900.4, 48900.7]
- Homework shall be provided for a student suspended for two (2) or more days upon request. Such homework turned in on time that cannot be graded in time, will not be included in

the calculation of the pupil's grade in the class.
[EC 48913.5]

■ **Mandatory Suspension / Expulsion**

Education Code Section 48915(a): Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

Education Code Section 48915(c): The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior or written permission to possess the firearm from a certificated school employee, which is concurred in by the

principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.

2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive.

■ **Student Search**

The school principal or designee may search the person of a student, the student's property, vehicle, and District property under the student's control if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband. Searches may be announced or unannounced, and the district may use drug-sniffing dogs if available. Employees shall not conduct strip searches or body cavity searches of any student. [EC 48900-48927, 49050-49051, 49330-49334; PC 626.9, 626.10]

■ **Release of a Student to a Peace Officer**

If a school official releases your child from school to a peace officer for the purpose of removing them from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [EC 48906; PC 11165.6; WIC 305]

DISCRIMINATION, PROTECTIONS, COMPLAINTS AND PROCEDURES

All pupils have the right to participate fully in the educational process, free from discrimination and harassment. Schools have an obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity and ensure safe school sites.

The District is primarily responsible for compliance with local, state and federal laws and regulations and has procedures to address allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected individual or group including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race or ethnicity, ancestry, national origin, nationality, religion, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program, or activity that receives or benefits from local, state and federal financial assistance.

■ Nondiscrimination in Education Programs and Activities

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or

association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's

nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools. [BP 5145.3 October 2018; EC 200-262.4, 48900.3,

48900.4, 48904, 48907, 48950, 48985, 49020-49023, 51500, 51501, 60044; CC 1714.1; GC 11135; PC 422.55, 422.6; 5 CCR 432, 4600-4670, 4900-4965; 20 USC 1681-1688, 12101-12213; § 504; Title VI; Title VII; Title IX; 42 USC 6101-6107; 28 CFR 35.107; 34 CFR 99.31, 100.3, 104.7, 106.8, 106.9, 110.25]

Disability Harassment

The Board of Education is committed to maintaining an educational environment that is free from harassment. The Board prohibits disability harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who complains, testifies, assists, or otherwise participates in the complaint process established pursuant to this policy and the administrative regulation. [BP 5145.10]

Sexual Harassment

The Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

Instruction / Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and 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 gender

2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the person(s) to whom a report of sexual harassment should be made

Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher, counselor, administrator, or any other school employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

If the person alleged to be sexually harassing is an employee, the principal or designee to whom a complaint of sexual harassment is reported shall immediately file a report to the Superintendent with the Confidential Incident Report Form. The employee shall be placed on home assignment. Where the Assistant Superintendent of Human Resources or designee and/or independent investigator finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any

other remedies that may be available. The principal or designee shall refer the matter to law enforcement authorities, where required.

Disciplinary Measures

Any student who engages in sexual harassment of anyone 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 through 12, disciplinary action may include suspension, opportunity transfer, and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

Any employee who engages in sexual harassment or misconduct is in violation of this policy and shall be subject to disciplinary measures and shall be reported to law enforcement agencies.

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 its schools.

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.

By no later than October 31st of each year, the Superintendent shall inform the public via an Information Item in the Board of Education agenda regarding the number of reported student and employee sexual harassment complaints for the previous school year.

[BP 5145.7 August 2009; EC 200-262.4, 48900, 48900.2, 48904, 48980; 5 CCR 4600-4687, 4900-4965; 20 USC 1681-1688; 42 USC 2000d, 2000e; 34 CFR 106.1-106.71]

■ SMMUSD Guide to Addressing Complaints

The Santa Monica-Malibu Unified School District (SMMUSD) Board of Education is devoted to providing the best possible education for all of our students. In particular, the SMMUSD:

- is dedicated to providing safe, secure, thriving school environments that promote respect for individuals, principles of fairness, and a sense of belonging;
- is committed to equal opportunity in education for all individuals regardless of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or an individual's association with a person or group with one or more of these actual or perceived characteristics;
- views the "Williams Settlement" (which grew out of a lawsuit to ensure access to textbooks and instructional materials, well-maintained school facilities, and students being taught by qualified teachers) and related state legislation as consistent with our mission to provide a quality education to all students;
- is committed to the best possible educational practices and materials to enable all of our students to succeed.

The SMMUSD places great emphasis on hiring well-qualified professional staff and places trust in its employees to advance the district's educational mission. When a concern arises about a particular situation, it is desirable whenever possible to address the concern by approaching the responsible individual, discussing the concern, and trying to find a remedy without requiring formal administrative review. If that does not work, the Board of Education has adopted formal complaint procedures to address student, parent, and

community concerns. Every effort will be made to resolve complaints in a manner that advances the educational mission of the SMMUSD.

Due to differences in regulations, there are different forms for different types of complaints. All of the forms are available in the district/school offices and at www.smmusd.org/Page/145. All completed forms may be mailed, faxed or delivered by hand to the school or the district office.

- If the complaint is directed toward a District employee, and if that complaint regards alleged unlawful discrimination, the individual should file a Uniform Complaint Form. Before filing such a complaint, individuals are encouraged to speak to the employee and/or the immediate supervisor. If the concern is still not resolved, then it should be addressed in writing to the SMMUSD Assistant Superintendent of Human Resources.
- If the complaint is directed toward a District employee and does not involve potential unlawful discrimination, the person should file a Complaint Against an Employee Form. Before filing such a complaint, individuals are encouraged to speak to the employee and/or the immediate supervisor (the principal is the supervisor in all schools). If the concern is still not resolved, then the written complaint should be given to the immediate supervisor of the employee.
- If the complaint concerns inadequate textbooks or instructional materials, a teacher vacancy or an improperly credentialed teacher, or conditions of the facility, then the person should complete a Williams Complaint Procedure Form. The form should be addressed to the SMMUSD Assistant Superintendent of Human Resources.
- If the complaint concerns instructional materials to which a parent or community

member objects, then the parent may file a Citizen's Request for Reconsideration of Instructional Materials Form. The form should be addressed to the SMMUSD Superintendent.

- To file a complaint regarding a district employee or other person suspected of child abuse or neglect, parents/guardians may file a report by telephone, in person, or in writing with the police or sheriff's department, or by calling the Los Angeles County Child Protection Hot Line at 800-540-4000. If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated to file a report himself/herself using the procedures described above.

■ **Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs**

The district prohibits the following, and shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, or bullying against any protected individual or group identified under Board Policy, Education Code, California Code of Regulations, Penal Code, or Government Code including actual or perceived race, color, ancestry, historically associated racial traits, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or on the basis of a person's association with a person or group with one or more of these

actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

District is committed to equal opportunity for all individuals in education and in employment. The District shall promote programs that ensure non-discriminatory practices in all District activities. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, bullying; and cyber-bullying including social-media bullying are available on the Districts website at www.smmusd.org/Page/145. You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. If you want further details in this regard, or if you believe your or your child(ren) have been subjected to the above and wish to file a complaint, please contact the District official responsible for compliance with Title V, Title VI, Title IX, § 504, and Uniform Complaints. The Governing Board designates the following compliance officer(s) to receive and investigate all complaints and ensure district compliance with law:

Dr. Mark Kelly, Assistant Superintendent
of Human Resources
1651 16th Street, Santa Monica, CA 90404
(310) 450-8338

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: adult education, career/technical education, technical training, ROP programs and centers, Agricultural Vocational Education, child development, State Preschool, Early Childhood Education Program Assessments, Consolidated Categorical Aid, Economic Impact Aid, LCAP, State Compensatory Education, State Program for

Students of Limited English Proficiency, school improvement, tenth-grade counseling, tobacco-use prevention education, Peer Assistance and Review, Migrant and Indian Education, American Indian Education Centers, Bilingual Education, nutrition services, special education, after school education and safety, homeless or foster youth education options, course content, physical education (including instructional minutes grades 1-6), discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, ESEA (Titles I-VII), Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234 et seq., 234.6, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52075, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600- 4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI; Title VII; Title IX; § 504; IDEA; 34 CFR 106.9]

Complaints Regarding Student Fees, Deposits or Other Charges

The district shall follow uniform complaint procedures when addressing complaints alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities. [BP 1312.3, 3260]

District's Uniform Complaint Process

You may contact your school's office or the district office to obtain a free copy of the district's complaint procedures. The complaint procedure can be used for a variety of issues not mentioned above including but not limited to employee issues and policies and procedures of the district. Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging discrimination may be filed by a person on their own behalf or on behalf of

another person or group of people within six months of the occurrence or when facts became known. Complaints regarding a special needs student or pupil fees may be filed within 12 months of the occurrence. Complaints regarding LCAP may be filed anonymously. Complaints regarding Pupil Fees may be filed anonymously and with the principal. If a complaint regarding LCAP or pupil fees is valid, then the parents are due full reimbursement. Staff has been trained to deal with these types of complaints.

Those complaining (Complainants) are protected from retaliation and their identities are confidential when related to discrimination. Staff dealing with complaints are knowledgeable about the laws and programs they are investigating. The complaint may be dismissed if complainant obstructs or does not provide all information. If the district acts in the same manner, the finding may be affected.

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer who is responsible for processing the claims. A complaint under the Uniform Complaint Procedure should be completed within 60 days from the receipt of the complaint unless the complainant agrees in writing to extend the timeline.
2. You may contact the UCP Officer to obtain a copy of the complaint process.
3. You may choose to have your complaint mediated.
4. There shall be an investigative meeting after receiving the complaint.
5. The compliance officer shall send a written report about the investigation and decision.
6. If you are not satisfied with the results the complainant has 15 days of receiving the LEA decision, to appeal to the California Department of Education. The appeal must include a copy of the locally filed complaint and a copy of the LEA decision.

7. There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside of the district’s complaint procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to: injunctions and restraining orders.

For discrimination complaints, 60 days must elapse from the time an appeal is filed with CDE before pursuing civil remedies except for an injunction. Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

American Civil Liberties Act 504 – Office of Civil Rights

Child Abuse – Department of Social Services, Protective Services Division, or law enforcement

Health and Safety/Child Development – Department of Social Services

General Education – this school district

Discrimination/Nutritional Services – U.S. Secretary of Agriculture

Employment Discrimination – Department of Fair Employment and Housing, Equal Employment Opportunity Commission.

Student Records: Family Policy Compliance Office (FPCO), Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202

[20 USC 11138; 34 CFR 300.510-511, 300.513; EC 235. 262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64000(a); 5 CCR 4600, 4620-4632]

■ **Complaints Regarding the Williams Settlement, Instructional Materials, Teacher Placement, and School Facilities**

Parents should use the District Uniform Complaint Procedure with modifications as included, to identify and resolve any deficiencies

regarding instructional materials; facility cleanliness, safety, emergency or urgent facility conditions that pose a health or safety threat to students; or staff, teacher vacancies or misassignments. [EC 8235.5, 35186]

Williams Settlement complaint procedure

A complaint form may be obtained, free of charge, at the school office, the district office, or downloaded from the district’s Web site at www.smmusd.org/Page/145, but the form need not be used to make a complaint. You may also download a copy of the California Department of Education complaint form from this Web site, www.cde.ca.gov/re/cp/uc. The Uniform Complaint Procedure shall be used for filing Williams related complaints with the following special circumstances applying:

1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
2. Complaints beyond the site authority will be forwarded to the district within 10 days.
3. Complaints may be filed anonymously. A response may be requested if complainant is identified and will be sent to the mailing address on complaint
4. If the district is required to provide material in a foreign language based on California Department of Education census data and if requested, the response and report shall be written in English and the primary language in which the complaint was filed.
5. The form will have a box to request a response and indicate where to file the form.
6. Valid complaints should be remedied within 30 days of receipt.
7. Within 45 days of resolution, notice should be sent to complainant when a response was requested. A principal will also inform the superintendent of resolution in the same timeframe.

8. If unsatisfied with resolution a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
9. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records. [EC 35186, 48985]

MISCELLANEOUS

■ Management Plan for Asbestos-Containing Material

The district has available upon request a complete and updated management plan for asbestos-containing material. [40 CFR 763.93]

■ Lead Poison

The district website has information about lead poisoning, including risks and effects of childhood lead exposure; blood lead screening tests for children enrolled in Medi-Cal; recommendations for children not enrolled in Medi-Cal who are at high risk of lead exposure and blood lead screening tests as required. The District will handout information to parents of district childcare or preschool programs. [HSC 105286]

■ Pesticide Use

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. Only fully certified pesticides can be used on school grounds. The identification includes the name and active ingredients. The school's Integrated Pest Management Plan (IPM) is updated by July

1st each year. The IMP, pesticide names and active ingredients are posted on the school and/or district website at <http://bit.ly/1KkZiVQ>.

Parents and guardians may register with the school or district if they wish to receive notification of pesticide applications at a particular school or facility. Notice of an application and written notice of unlisted pesticide use will be given 72 hours in advance. For an emergency application, 72 hours notice will be the goal. Each area of the school where pesticide is being used will be identified by a posted warning 24 hours before (or upon application, if an emergency) through 72 hours after use. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, www.cdpr.ca.gov. [EC 17610.1, 17612, 48980; FAC 13184; ne]

<u>Product Name</u>	<u>Active Ingredient(s)</u>
Permethrin	Diphacinone
Phenethyl Propionate .	Hydramethylnon
Piperonyl butoxide. . .	Fipronyl
Pyrethrins, Thyme Oil	Chlorfenapyr
Eugenol (Clove Oil). . .	Cyfluthrin
Bifenthrin.	Imidachloprid
Boric Acid	Aluminum Phosphide
Bromadiolone.	Zinc Phosphide
Amorphous Silica Gel.	Strychnine Alkaloid
Deltamethrin	Glyphosate
Difethialone	
Bromethalin Non-anticoagulant	
Cholecalciferol Non-anticoagulant	Vitamin D3

■ Further Information is Available

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office. [FERPA, 34 CFR 99.7(b)]

August**Agosto**

Certificated Staff Development16 & 17 Desarrollo del Personal Certificado
 First Day of School of Instruction 19. Primer día de Instrucción

September**Septiembre**

Labor Day 6 Día del Trabajadores
 Local Holiday 7 & 16 Festiva Local

October**Octubre**

Grading Period (6-12) 1 Períod de Calificación (6-12)

November**Noviembre**

Grading Period (TK-5, student-free day) 2 .. Período de Calificación (TK-5, día sin estudiantes)
 Parent Conference (TK-5 only) 2-5 Conferencias de Padres (TK-5 sólo)
 Grading Period (6-12) 12. Períod de Calificación (6-12)
 Veteran’s Day 11. Día de los Veteranos
 Thanksgiving Holiday 24-26 Acción de Gracias

December**Diciembre**

Grading Period (6-12) 17. Períod de Calificación (6-12)
 Winter Recess 20-31 Receso de Invierno

January**Enero**

Student-Free Day (6-12 only) 3 Día sin Estudiantes (6-12 sólo)
 Martin Luther King Jr. Birthday 17. Día de Martín Luther King, Jr.

February**Febrero**

Grading Period (TK-5) 4 Período de Calificación (TK-5)
 Grading Period (6-12) 18. Períod de Calificación (6-12)
 Washington’s Birthday 21. Natalicio de Washington

March**Marzo**

CAASPP Testing (grade 11) 1 – May 20 Pruebas CAASPP (grado 11)

April**Abril**

Spring Break 4-15. Receso de Primavera
 (Lincoln’s Birthday observed 15th) (Natalicio de Lincoln observado 15to)
 CAASPP Testing (grades 3-8) 18 – May 20 Pruebas CAASPP (grados 3-8)
 Grading Period (6-12) 22. Períod de Calificación (6-12)

May**Mayo**

AP Testing 2-13. Exámenes AP
 Memorial Day 30. Día Conmemorativo

June**June**

Grading Period / Last Day of Instruction 9 ... Períod de Calificación / Ultimo Día de Instrucción

Minimum Days / Días Mínimos

TK-Kinder (TK-Kínder): Aug (Ago) 19, 20, 24; Nov 3-5; Dec (Dic) 17; Mar 31; Jun 9; +1 discretionary (discrecional)
 Elementary (Primarias): Aug (Ago) 19, 24, 31; Nov 3-5; Dec (Dic) 17; Mar 31; Jun 9; +1 discretionary (discrecional)
 Santa Monica MS (Sec.): Sep 9; Dec (Dic) 17; Apr (Abr) 1; May 12; Jun 8-9; +4 discretionary (discrecional)
 Malibu MS/HS (Sec./Prep.): Sep 9, 23; Dec (Dic) 15-16; Mar 24; May 12; Jun 6-9
 Samohi: Sep 23; Dec (Dic) 14-17; Mar 24; Jun 3-8
 Olympic HS (Preparatoria): Sep 23; Mar 24; Jun 1-9; +1 discretionary (discrecional)

Santa Monica–Malibu Unified School District
1651 Sixteenth St., Santa Monica, CA 90404 (310) 450–8338

Edison Elementary (K-5)

Ph. 828-0335 Fax 449-1250
2402 Virginia Avenue
Santa Monica 90404

Franklin Elementary. (K-5)

Ph. 828-2814 Fax 449-1252
2400 Montana Avenue
Santa Monica 90403

Grant Elementary (K-5)

Ph. 450-7684 Fax 452-4350
2368 Pearl Street
Santa Monica 90405

Malibu Elementary. (K-5)

Ph. 457-9370 Fax 457-8064
30237 Morningview Drive
Malibu 90265

McKinley Elementary .. (K-5)

Ph. 828-5011 Fax 449-1251
2401 Santa Monica Blvd.
Santa Monica 90404

John Muir Elementary .. (K-5)

Ph. 399-7721 Fax 452-4351
2526 Sixth Street
Santa Monica 90405

Will Rogers Elementary (K-5)

Ph. 452-2364 Fax 452-9035
2401 14th Street
Santa Monica 90405

Roosevelt Elementary. . (K-5)

Ph. 395-0941 Fax 587-1169
801 Montana Avenue
Santa Monica 90403

Webster Elementary . . . (K-5)

Ph. 456-6494 Fax 456-9304
3602 Winter Canyon
Malibu 90265

John Adams Middle School

..... (6-8)

Ph. 452-2326 Fax 452-5352
2425 Sixteenth Street
Santa Monica 90405

Lincoln Middle School

..... (6-8)

Ph. 393-9227 Fax 393-4297
1501 California Avenue
Santa Monica 90403

Malibu Middle School .. (6-8)

Ph. 457-6801 Fax 457-4984
30215 Morningview Drive
Malibu 90265

Malibu High School . . . (9-12)

Ph. 457-6801 Fax 457-4984
30215 Morningview Drive
Malibu 90265

**Olympic High School / Off
Campus Learning Center**

..... (9-12)

Ph. 392-2494 Fax 392-9741
721 Ocean Park Boulevard
Santa Monica 90405

Santa Monica High (9-12)

Ph. 395-3204 Fax 395-5842
601 Pico Boulevard
Santa Monica 90405

**Santa Monica Alternative
(SMASH). (K-8)**

Ph. 396-2640 Fax 452-4353
2525 Fifth Street
Santa Monica 90405

Adult Education Center

Ph. 664-6222 Fax 664-6220
2510 Lincoln Boulevard
Santa Monica 90405

Child Development Services

Ph. 399-5865 Fax 396-1618
2828 Fourth Street
Santa Monica 90405

2021
2022

ACKNOWLEDGEMENT OF RECEIPT & REVIEW OF
YOUR RIGHTS AND RESPONSIBILITIES

Dear Parent or Guardian

As required by law, this is to notify of your rights and responsibilities. We ask that you please take time to carefully review the information in this booklet. If you have any questions regarding this information, please feel free to contact your school site administrator or the district office.

Education Code Section 48982 requires parents or guardians to sign and return this acknowledgment. After your review, please sign and return to your child's school this acknowledgment indicating you have received and reviewed these materials.

By signing below, you are neither giving nor withholding consent for your child(ren) to participate in any program. You are merely indicating that I have received and read the booklet with notices regarding your rights relating to activities which might affect my child(ren).

Student Name (printed) Student ID Number

School Grade

Parent/Guardian Name (printed) Home Telephone

Address

Parent/Guardian Signature Date