

Sacramento County Office of Education

HIGH SCHOOL STUDENT HANDBOOK 2016 - 2017



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TABLE OF CONTENTS

Message to Student	2
Purpose of the Student Handbook.....	2
What Can You Do While You Are In High School?.....	3
Career & Technical Education Opportunities	3
Graduation Requirements	4
Course of Study Requirements	4
How Do You Earn High School Credits?.....	5
High School Diploma Equivalency Exams	6
Sacramento County Office of Education (SCOE) Policies on Student Achievement, Attendance, and Suspension/Expulsion.....	6
Major Reasons for Suspension (E.C. § 48900 et seq.).....	7
Community School Regulations	8
High School Programs Offered by SCOE	9
Annual Notification of the Uniform Complaint Procedures (UCP)	10
Uniform Complaint Procedures, ARR 1312.3	13
Uniform Complaint Procedures Form (Non-Williams)	20
Notice to SCOE Parents/Guardians, Pupils, and Teachers: Complaint Rights.....	22
Williams Uniform Complaint Procedures, ARR 1312.4	23
Williams Uniform Complaint Procedures Form	27



Dear Student:

You are now involved in an exciting time of your educational career. In our high school program you will receive instruction related to your academic needs, be involved in vocational education experiences, and a variety of other learning situations. Our goals, in which we hope you will share, include the following:

- Students will increase their educational accomplishments at the maximum possible rate and move toward maximum competency levels, according to their abilities and interests.
- Students will work toward the mastery of skills in math, communications, and survival so that they improve their ability to function in society.
- Students will increase their abilities to satisfy their needs in legally and socially acceptable ways.
- Students will be provided with an educational program that will facilitate a smooth transition upon return to the school district of residence.

We believe that taking a few moments to review this handbook will be helpful in planning for one of the most important periods of your life.



PURPOSE OF THE STUDENT HANDBOOK

1. To acquaint you with high school course requirements.
2. To provide you with an explanation of the minimum competency requirements and alternatives.
3. To inform you of other educational program options.
4. To inform you of your responsibilities.

WHAT CAN YOU DO WHILE YOU ARE IN HIGH SCHOOL?

SET SOME GOALS

You should be working to set both long-range and short-range goals. If you need help, see school personnel for guidance in course selection to help you make plans for your future.

MAKE PLANS TO REACH EACH GOAL

Each semester, recheck your goals and make new plans to reach these goals. Achieving your goals makes you feel good about yourself and helps you mature.

WORK HARD, ATTEND SCHOOL EVERY DAY, AND STUDY

Plans and goals cannot be completed without hard work each day, in every class. Your job as a high school student is to be successful in school on a regular basis.

CAREER & TECHNICAL EDUCATIONAL OPPORTUNITIES

SCOE provides career and technical education opportunities for high school students. This program provides students with:

- tuition-free job training and career guidance; and
- “real-work” positions in the business community where students learn about the practical application of those skills and also develop an understanding of the employer/employee relationship and teamwork in the workplace.

The career education and training received will be invaluable in preparing you for the working world. These programs help students engage in career technical education and prepares students with marketable job skills

Opportunities at Leo A. Palmiter Jr./Sr. High School include:

*Culinary Arts and Hospitality
Nursery, Landscaping, and Ground Maintenance
Northern California Construction (NCCT) Program
WorkAbility 1 Services*

Opportunities at Court and Community schools include:

*Culinary Arts and Hospitality
Business Occupations Entrepreneurialism
Graphic Arts
Northern California Construction (NCCT) Program*

The above list is subject to change. Special Education students may be eligible for other services, please contact the SCOE Special Education Vocational Specialist at 228-2005.

Remember: Your high school and career technical education are stepping-stones in order to advance your chosen career or occupation. A continuing education is essential for you to meet the changes and challenges you will face in today’s society.

GRADUATION REQUIREMENTS

Consistent with Education Code section 51225.3, the Sacramento County Board of Education sets forth the following basic requirements for students served in our programs who are candidates for a high school diploma.

APPROVED SCOE COURSE OF STUDY REQUIREMENTS

To successfully complete the requirements for graduation and to earn a high school diploma through the Sacramento County Office of Education, any student will need to have a total of 220 semester credits. Students shall earn credits in the following areas:

SUBJECT	YEARS	SEMESTERS	CREDITS
English	4	8	40
Mathematics (Algebra I completed ¹)	2	4	20
Physical Education (unless exempted by law)	2	4	20
Biological Science	1	2	10
Physical Science	1	2	10
U.S. History	1	2	10
World History	1	2	10
Economics	½	1	5
American Government/Civics	½	1	5
Visual or Performing Arts ²	1	2	10
Life Skills	½	1	5
Career Technical Education	½	1	5
Technology (or pass SCOE assessment)	½	1	5
Electives			65
TOTAL REQUIRED CREDITS			220 ³

The course requirements as outlined above are consistent with the emphasis of SCOE programs (Juvenile Court Schools, Community Schools, and Special Education):

- To provide educational opportunities to students referred to our programs due to special needs which could not be met at the district level; and
- To enable those students to return to and participate in programs at their local school districts.

¹ Per Education Code 51224.5(b), at least one course or a combination of two courses in mathematics shall meet or exceed the rigor of the content standards for Algebra I. The Algebra I requirement may be completed in the 7th or 8th grade.

² This requirement may be satisfied if the student has completed a year's study of foreign language pursuant to Education Code section 51225.3(a)(1)(E).

³ Per Education Code 51225.1, under certain circumstances, a student in foster care/out-of-home placement/dependency status, or a student who is experiencing homelessness, can have reduced coursework requirements.

HOW DO YOU EARN HIGH SCHOOL CREDITS?

Five units of credit can be earned per semester upon the successful completion of each class. To earn credits for a class, students must have a minimum of a "D-" or a "pass" grade. Students enrolled in a program for less than a full semester shall receive partial credits for work successfully completed in each class, as determined by the classroom teacher. Partial credits are earned based on a ratio of .5 credits for every 7 class period attended for a subject in which a student has a passing grade.

A student can earn units in elective classes, independent study, work experience assignments, and the career technical education based on the same partial credit ratio of .5 to 7. Students desiring to learn vocational skills in anticipation of going to work after graduating from school may have a unique opportunity to participate in SCOE's career technical training programs.

SCOE offers numerous career technical education training programs, which can provide students the skills they need to immediately go to work and focus on a career path. Those students interested in career training should contact school personnel for a brief outline of available courses. These programs are specifically designed for students in their junior and senior years of high school. (See Career & Technical Educational Opportunities on page 4.)

OPTIONS TO SECURING A HIGH SCHOOL DIPLOMA EQUIVALENCY EXAMS

California law allows high school students to take a written exam to obtain a certificate of proficiency or a high school equivalency certificate. The alternatives are:

TEST	ELIGIBILITY REQUIREMENTS	WHAT IS ASSESSED	WHEN TEST IS ADMINISTERED	OUTCOME
California High School Proficiency Examination (CHSPE)	Must be at least 16 years of age, have completed one year of grade 10 or will complete one year of grade 10 at the end of the semester during which the next regular administration will be conducted.	Grade 12 ELA Grade 10 mathematics (includes Algebra 1, Geometry)	Oct, March (June)	Certificate of proficiency (equivalent to California high school diploma)
High School Equivalency Test (HiSET, GED, or TASC)	Must be a CA resident or a member of the armed forces and meet any one of the four following criteria: 1. Must be 18 years of age or older or within 60 days of 18 th birthday (regardless of school enrollment status.) 2. Must be within 60 days of graduation from HS if remaining in school and following the usual course of study. May not be enrolled in public school. 3. Must be 17 years of age, must have been out of school for at least 60 consecutive school days, and provides a letter of request for the test from the military, a post-secondary institution, or a prospective employer. 4. Must be 17 years of age, incarcerated in a CA state or county correctional facility, and meet four additional criteria. 5. Must be 17 years of age, has accumulated fewer than 100 credits, successfully completed an academic program provided by a dropout recovery high school.	High school ELA (reading and writing) Mathematics Science Social Studies	Ongoing test administrations (SCOE administers the HiSET to its students)	California high school equivalency certificate (equivalent to a California high school diploma for the purpose of meeting requirements of employment)

You may also complete your requirements for high school graduation by attending Adult Education Programs. If you have any further questions regarding your high school education and specific graduation requirements, please contact your school counselor or administrator.

SACRAMENTO COUNTY OFFICE OF EDUCATION POLICIES ON STUDENT ACHIEVEMENT, ATTENDANCE, AND SUSPENSION/EXPULSION

STUDENT ACHIEVEMENT

Each student's achievement shall be evaluated, and the evaluation shall be recorded at the end of each semester via report cards. The results of the evaluation shall be reported to the student's parent/guardian, or student, if appropriate.

A classroom teacher will initiate a deficiency notice when a student is in jeopardy of failing a class. The following factors will be considered:

Academic factors

- Neglects class assignments/homework
- Exhibits very little effort

Other factors

- Frequent absences
- Frequent tardiness
- Poor study habits
- Failure to use class time wisely
- Student conduct

ATTENDANCE

All students are subject to a compulsory full-time education. A student who is absent without a valid excuse or is tardy in excess of 30 minutes for more than three days is considered truant. A student is considered a habitual truant when reported as truant three or more times per school year. Students considered habitually truant will be reported to the administrator and may be referred to Probation. Refer to Education Code §§ 48260.5 and 48263 respectively.

SUSPENSION/EXPULSION

All students shall be expected to follow the school and classroom rules and regulations. Students violating the rules and regulations shall be subject to the disciplinary procedures of the school in which they are enrolled. Students may be subject to suspension/expulsion procedures for violating Education Code § 48900 at any time, including but not limited to the following:

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

MAJOR REASONS FOR SUSPENSION (E.C. § 48900 et seq.)

- | | | |
|---|--|--|
| <p>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.</p> | <p>M Possessed an imitation firearm. "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.</p> | <p>includes, but is not limited to, electronic files and databases.</p> |
| <p>B Possessed (without prior written permission), sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object.</p> | <p>N Committed or attempted to commit a sexual assault as defined in <u>Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code</u> or committed a sexual battery as defined in <u>Section 243.4 of the Penal Code</u>.</p> | <p>V A superintendent/principal may use discretion to provide alternatives to suspension/ expulsion.</p> |
| <p>C Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in the Health & Safety Code, beginning with section 11053; an alcoholic beverage; or an intoxicant of any kind.</p> | <p>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> | <p>W Alternatives to suspension/expulsion will be imposed against any pupil who is truant, tardy or absent from school activities.</p> |
| <p>D Unlawfully offered or arranged or negotiated to sell any CONTROLLED SUBSTANCE as defined in beginning in Section 11053 of the Health & Safety Code, alcoholic beverage, or intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.</p> | <p>P Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug SOMA.</p> | <p>Additional grounds for suspension or expulsion:</p> <p>— EC 48900.2 SEXUAL HARASSMENT if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Penal Code 212.5 (Grades 4-12).</p> |
| <p>E Committed or attempted to commit robbery or extortion.</p> | <p>Q Engaged in, or attempted to engage in, hazing. "Hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization/body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. "Hazing" does not include school-sanctioned events.</p> | <p>— EC 48900.3 HATE VIOLENCE if the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of section 233 (Grades 4-12)</p> |
| <p>F Caused or attempted to cause damage to school property or private property.</p> | <p>R Engaged in an act of bullying, including but not limited to, bullying committed by means of an electronic act, including one or more acts committed by a pupil or group of pupils as defined in Sections 48900.2, 48900.3, or 48900.4, directed specifically toward one or more pupils or school personnel. (See section 48900(r).)</p> | <p>— EC 48900.4 HARASSMENT, THREATS, OR INTIMIDATION intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive which has the actual or reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment. (Grades 4-12)</p> |
| <p>G Stole or attempted to steal school property or private property.</p> | <p>S A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity/attendance, including: 1) while on school grounds; 2) while going to or coming from school; 3) during the lunch period whether on or off campus; 4) during, or while going to or coming from, a school sponsored activity.</p> | <p>— EC 48900.7 TERRORISTIC THREATS made against school officials, school property, or both.</p> |
| <p>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.</p> | <p>T A pupil who aids or abets the infliction or attempted infliction of physical injury to another person may be subject to suspension. See Education Code Section 48900(t) for entire citation.</p> | <p style="text-align: center;">PLEASE NOTE: During the period of suspension, the student must not be on or near the school campus and must remain home unless under the direct supervision of the parent/guardian.</p> |
| <p>I Committed an obscene act or engaged in habitual profanity or vulgarity.</p> | <p>U As used in the Education Code, "school property"</p> | |
| <p>J Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in <u>Section 11014.5 of the Health and Safety Code</u>.</p> | | |
| <p>K 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.</p> | | |
| <p>L Knowingly received stolen school property or private property.</p> | | |

SACRAMENTO COUNTY OFFICE OF EDUCATION **COMMUNITY SCHOOL REGULATIONS**

ATTENDANCE

Students enrolled in the Community School classroom program are required to attend school daily. The only way to earn a successful “school day” is by:

- ◆ Attending school
- ◆ Satisfactory academic performance in each class
- ◆ Satisfactory behavior in each class

Excused Absences – a student may be excused from school for the following reasons only:

- ◆ Doctor, dental, chiropractic, and optometrist appointments
- ◆ Funeral services (immediate family members only)
- ◆ Quarantine
- ◆ Illness/Injury
- ◆ Regional court appearance
- ◆ Justifiable personal reason

If a student is going to be out of school for one of the excused absences listed above, a parent/guardian must call the school by 8:30 a.m. that day. Phone calls from students will not be accepted unless they are 18 years of age or older, or have filed legal paperwork and are their own educational rights holder.

Unexcused Absences – students should not have any unexcused absences. Parents/guardians will be notified of any unexcused absences. Probation and other agencies, as applicable, will also be notified.

Tardiness – students are expected to be at school on time. It is the responsibility of the parent/guardian to see that the student is at school daily. To help students avoid tardiness, please see that your child is at school on time each morning, whether he/she rides the bus, rides with a friend, walks to school, or you drop him/her off.

NOTE: If you are receiving funds from the Department of Health & Human Services (DHHS) for your child, it is imperative that he/she attend school every day. The guidelines state that a student must maintain an attendance rate of 90% or better each month. The DHHS will be notified of any student whose attendance drops below 90% in any given month, and the DHHS will respond accordingly.

**HIGH SCHOOL PROGRAMS OFFERED BY
THE SACRAMENTO COUNTY OFFICE OF EDUCATION**

Community Schools

CARE Intervention Program - classes located at various sites. (916) 228-2341

Gerber Jr./Sr. High School (916) 228-2090

Elinor Lincoln Hickey Jr./Sr. High School (916) 228-2074/2080

North Area Community School (916) 228-2073

Juvenile Court Schools

El Centro Jr./Sr. High School (916) 228-2525

Special Education/Emotionally Disturbed Programs

Leo A. Palmiter Jr./Sr. High School (916) 228-2020

Galt High School (209) 745-5424

Sacramento County Office of Education 2016 -2017

ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT PROCEDURES (UCP)

For students, employees, parents/guardians of its students, school, and county office advisory committees, appropriate private school officials or representatives, and other interested parties:

SCOE has the primary responsibility to ensure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation and bullying, (including cyberbullying) in SCOE educational programs, and complaints alleging violation of state or federal laws governing educational programs.

SCOE shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our local board. Unlawful discrimination, harassment, intimidation and bullying, (including cyberbullying) complaints may be based on actual or perceived characteristics including: physical or mental disability, genetic information, gender, gender identity, gender expression, national origin, nationality, race or ethnicity, color, ancestry, ethnic group identification, age, marital or parental status, religion, sex, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from state financial assistance. The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in Adult Education, Consolidated Categorical Aid Programs, Migrant Education, Career Technical and Technical Education and Training Programs, Child Care and Developmental Programs, Child Nutrition Programs, Special Education Programs, Safety Planning Requirements, and the unlawful charging of pupil fees in educational activities.

Complaints must be filed in writing with the following compliance officer:

Deputy Superintendent
P.O. Box 269003,
Sacramento, California 95826
916-228-2409

A complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the superintendent or his or her designee.

Complaints will be investigated and a written decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be

extended by written agreement of the complainant. The SCOE person responsible for investigating the complaint shall conduct and complete the investigation in accordance with the California Code of Regulations, Title 5, (5 CCR) sections 4600-4671, and in accordance with local procedures adopted under 5 CCR 4621.

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

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code section 262.3. A complainant may pursue available civil law remedies outside of SCOE's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

A copy of SCOE's UCP policy and complaint procedures shall be available free of charge.

**NOTICE TO SCOE PARENTS/GUARDIANS, PUPILS, AND TEACHERS:
COMPLAINT RIGHTS**

Parents/Guardians, Pupils, and Teachers:

Pursuant to Education Code section 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials in your pupil's classroom. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments at your pupil's school. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

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

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

4. A complaint form can be obtained at the school office, or from the Sacramento County Office of Education (SCOE), or downloaded from the website: www.scoe.net. You may also download a copy of the California Department of Education complaint form from the following website: www.cde.ca.gov/re/cp/uc.

1000 - COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

ARR 1312.3

Page (1 of 8)

These Uniform Complaint Procedures shall be used to investigate and resolve complaints alleging violations of federal or state laws as specified in BP 1321.3 and discussed herein.

I. Compliance Officer or Designee

The Sacramento County Office of Education (SCOE) has designated the following Compliance Officer or designee to receive and investigate complaints and ensure SCOE's compliance with law: Deputy Superintendent (or such other person designated by the Sacramento County Superintendent of Schools (Superintendent)), 10474 Mather Boulevard, Mather, CA 95655, P.O. Box 269003, Sacramento, CA 95826-9003; (916) 228-2409; complianceofficer@scoe.net.

The Compliance Officer or designee shall maintain a record of each complaint and subsequent related actions, as required by law, including all information required for compliance with Title 5, California Code of Regulations sections (5 CCR) 4631 and 4633 (see, e.g., Education Code section (EC) 234.1).

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee. (5 CCR 4621)

II. Notifications

SCOE's Uniform Complaint Procedures policy and administrative regulation shall be posted in all schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular school speak a single primary language other than English, SCOE's policy, regulations, forms, and notices concerning Uniform Complaint Procedures shall be translated into that language. (EC 234.1, 48985)

The Superintendent or designee shall annually provide written notification of SCOE's Uniform Complaint Procedures to students, employees, parents/guardians, SCOE/school advisory committees, appropriate school officials or representatives, and other interested parties. The notification will contain information about SCOE's complaint procedures, available appeals, civil law remedies, and conditions under which a complaint may be taken directly to the California Department of Education (CDE). Copies of SCOE's Uniform Complaint Procedures are available free of charge. (EC 262.3, 49013; 5 CCR 4622)

1000 - COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

ARR 1312.3

Page (2 of 8)

III. Scope of Uniform Complaint Procedures

A. SCOE has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Uniform Complaint Procedures shall be used to address complaints that allege that SCOE has violated federal or state laws or regulations governing academic and educational programs, including:

1. Consolidated Categorical Aid Programs (EC 64000(a));
2. Career/Technical Education (EC 52300- 52480);
3. Adult Education (EC 8500-8538 and 52500-52616.4);
4. Child Nutrition Programs (EC 49490-49570);
5. Child Care and Development Programs (EC 8200-8493);
6. Special Education Programs (EC 56000 et seq., 59000-59300). (5 CCR 4610)

B. SCOE will also use its Uniform Complaint Procedures when addressing allegations of:

1. Unlawful discrimination harassment, intimidation, retaliation, or bullying on the basis of any actual or perceived characteristic in EC 200 and 220, Government Code section 11135, or Penal Code section 422.55 including: age, sex, sexual orientation, gender, gender identity, gender expression, genetic information, ethnicity, race, ancestry, national origin, ethnic group identification, nationality, religion, color, or mental or physical disability; 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 program or activity conducted by a local agency that is funded by, or receives or benefits from, any state financial assistance. (5 CCR 4610)
2. Violations of SCOE Board Policies prohibiting discrimination, harassment, intimidation, or bullying in SCOE educational programs.
3. Failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. (EC 49013)

1000 - COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

ARR 1312.3

Page (3 of 8)

4. Failure to comply with the school safety planning requirements. (EC 32289)
5. Failure to comply with the requirements regarding Local Control and Accountability Plans (LCAP). (EC 52075)

C. These Uniform Complaint Procedures may also be used to file complaints with SCOE or to appeal SCOE decisions that concern unlawful discrimination in SCOE's educational programs under federal law, including:

1. Section 504 of the Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act of 1990 (ADA) for charges of discrimination based on physical or mental disability;
2. Title IX of the Education Amendments of 1972 for charges of discrimination based on sex, including charges of sexual harassment.

D. The following complaints are not subject to SCOE's Uniform Complaint Procedures and shall be referred to the specified agencies for resolution:

1. Allegations of child abuse shall be referred to the applicable County Department of Child Protective Services or to the appropriate law enforcement agency.
2. Health and safety complaints regarding a Child Development Program shall be referred to the Sacramento County Department of Health and Human Services for licensed facilities and to the appropriate Child Development regional administrator for licensing exempt facilities.
3. Allegations of unlawful employment discrimination shall be sent to the State Department of Fair Employment and Housing (DFEH) pursuant to 22 CCR 98410. The complainant shall be notified by first class mail of any DFEH transferal.
4. Allegations of fraud shall be referred to the CDE Division Director. (5 CCR 4611)

1000 - COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

ARR 1312.3

Page (4 of 8)

IV. Procedures

A. Step 1: Filing of Complaint

1. Any individual, public agency, or organization may file a written complaint of alleged noncompliance with federal or state laws or regulations governing educational programs listed in 5 CCR 4610(b). (5 CCR 4630)
2. A complaint concerning unlawful discrimination, harassment, intimidation, retaliation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, retaliation, or bullying or by a person who believes that an individual or specific class of individuals has been subjected to it. The identity of the complainant will be kept confidential as appropriate.
3. A complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, retaliation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, retaliation, or bullying. However, upon written request by the complainant, the Superintendent or designee may, for good cause, extend in writing the filing period for up to 90 calendar days. (5 CCR 4630)
4. A complaint alleging noncompliance with the law prohibiting students to pay pupil fees must be filed within one year of the alleged violation. (5 CCR 4630)
5. Pupil fee and LCAP complaints may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (EC 49013, EC 52075)
6. Except for complaints regarding pupil fees, the complaint shall be presented to the Compliance Officer or designee who shall maintain a log of complaints received, providing each with a code number and a date stamp. Complaints regarding the unlawful charging of pupil fees may be filed with the school principal.
7. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, SCOE staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

1000 - COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

ARR 1312.3

Page (5 of 8)

B. Step 2: Mediation

1. After receipt of the written complaint, if deemed appropriate, SCOE's Compliance Officer or designee may informally discuss with all the parties the possibility of using mediation. If the parties agree to mediation, the Compliance Officer or designee shall make all arrangements for the process.
2. Before initiating the mediation of a complaint alleging discrimination, harassment, intimidation, or bullying, the Compliance Officer or designee shall ensure that all parties agree to make the mediator a party to related confidential information.
3. If the mediation process does not resolve the problem within the parameters of law, the Compliance Officer or designee shall proceed with his/her investigation of the complaint. Mediation may not extend the 60-day timeline for investigation and resolution of the complaint unless the complainant agrees, in writing, to the extension.

C. Step 3: Investigation of Complaint

1. Within 30 days of receiving the complaint, the Compliance Officer or designee shall provide the complainant and/or his/her representative an opportunity to present any evidence, or information leading to evidence, to support the allegations in the complaint. The Compliance Officer or designee also shall collect documents and interview witnesses with information pertinent to the complaint.
2. A complainant's refusal to provide the SCOE Compliance Officer or designee with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)
3. In accordance with law, SCOE shall provide the Compliance Officer or designee with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of SCOE to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

1000 - COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

ARR 1312.3

Page (6 of 8)

4. Investigations of discrimination, harassment, intimidation, retaliation, and bullying complaints shall be conducted in a manner that protects confidentiality of the parties and the integrity of the process. (5 CCR 4630)

D. Step 4: Written Response

Unless extended by written agreement with the complainant, within 60 days of receiving the complaint, the SCOE Compliance Officer or designee shall prepare and send to the complainant a written report of SCOE's decision, as described in Step 5 below.

E. Step 5: Final Written Decision

SCOE's decision shall be in writing and sent to the complainant. The decision shall be written in English and in the language of the complainant whenever feasible or required by law.

For all complaints, the report shall include:

1. the findings of fact based on the evidence gathered,
2. conclusion(s) of law,
3. disposition of the complaint,
4. the rationale for such disposition,
5. corrective actions, if any are warranted, including any pupil fee remedies,
6. notice of the complainant's right to appeal SCOE's Decision within 15 days to CDE,
7. Procedures to be followed for initiating an appeal to CDE. (5 CCR 4631)

In addition, any decision concerning a discrimination complaint based on State law shall include a notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with CDE before pursuing civil law remedies. (EC 262.3)

1000 - COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

ARR 1312.3

Page (7 of 8)

If a complaint alleging noncompliance with the laws regarding LCAP requirements or pupil fees is found to have merit, SCOE shall provide a remedy to all affected students and parents/guardians. (EC 49013, EC 52075) Where applicable, this shall include reasonable efforts to ensure full reimbursement of pupil fees to affected students and parents and guardians. (EC 49013)

F. Step 6. Appeals to the California Department of Education

If dissatisfied with SCOE's decision, the complainant may appeal in writing to CDE within 15 days of receiving SCOE's written decision. (5 CCR 4632)

When appealing to CDE, the complainant must specify the reason(s) for appealing SCOE's decision and whether the facts are incorrect and/or the law has been misapplied. The appeal must include a copy of the locally filed complaint and SCOE's decision. (5 CCR 4632)

Upon notification by CDE that the complainant has appealed SCOE's decision, the Superintendent or designee shall forward the following documents to CDE:

1. A copy of the original complaint;
2. A copy of the decision;
3. A summary of the nature and extent of the investigation conducted by SCOE, if not covered by the decision;
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the SCOE Compliance Officer or designee;
5. A report of any action taken to resolve the complaint;
6. A copy of SCOE's Uniform Complaint Procedures;
7. Other relevant information requested by CDE. (5 CCR 4633)

CDE may directly intervene in a complaint without waiting for action by SCOE when one of the conditions listed in 5 CCR 4650 exists, including cases in which SCOE has not taken action within 60 days of the date the complaint was filed with SCOE. (5 CCR 4650)

1000 - COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

ARR 1312.3

Page (8 of 8)

VI. Civil Law Remedies

A complainant may pursue available civil law remedies outside of SCOE's complaint procedures under state or federal discrimination, harassment, intimidation or bullying laws. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

The U.S. Department of Education, Office for Civil Rights, enforces compliance with Section 504, Title II of the ADA, Title VI, and Title IX and may be contacted for assistance with complaints relating to these laws and their regulations.

The State DFEH and the Federal Equal Employment Opportunity Commission are agencies that enforce compliance with state and federal laws and regulations protecting individuals from employment discrimination and may be contacted for assistance with complaints of employment discrimination.

For discrimination complaints based on State law, a complainant shall wait until 60 days have elapsed from the filing of an appeal with CDE before pursuing civil law remedies, provided SCOE has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law.

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05/18/03 Revised
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06/13/07 Reviewed by Board
06/11/13 Reviewed by Cabinet
06/18/13 Reviewed by Board of Education
07/01/13 Distribution
06/18/14 Reviewed by Cabinet
06/24/14 Reviewed by Board
06/27/14 Distribution
09/29/15 Reviewed by Cabinet
09/30/15 Technical Correction and Distribution

Uniform Complaint Procedures Form (Non-Williams)*

Last Name _____	First Name/MI _____
Student Name (if applicable) _____	
Street Address/Apt. # _____	
City _____	State _____ Zip _____
Home Phone _____	Message/Work Phone _____
School/Office of Alleged Violation _____	
You are filing this complaint on behalf of: <input type="checkbox"/> yourself <input type="checkbox"/> your child <input type="checkbox"/> another student	
<input type="checkbox"/> a group <input type="checkbox"/> other _____ (Specify)	

Please check the box that appropriately refers to your complaint:

- | | | |
|--|---|---|
| <input type="checkbox"/> Discrimination | <input type="checkbox"/> Nutrition Services | <input type="checkbox"/> No Child Left Behind |
| <input type="checkbox"/> Harassment (including Sexual) | <input type="checkbox"/> Special Education | <input type="checkbox"/> Tenth Grade Counseling |
| <input type="checkbox"/> Intimidation | <input type="checkbox"/> Child Development | <input type="checkbox"/> Limited English Proficiency |
| <input type="checkbox"/> Bullying | <input type="checkbox"/> Migrant and Indian Education | <input type="checkbox"/> School Improvement |
| <input type="checkbox"/> Civil Rights Guarantees | <input type="checkbox"/> Adult Education | <input type="checkbox"/> Peer Assistance and Review |
| <input type="checkbox"/> School Safety Plan | <input type="checkbox"/> Career/Technical Education | <input type="checkbox"/> Pupil Fees |
| <input type="checkbox"/> School Safety and Violence Prevention Act | <input type="checkbox"/> Tobacco-Use Prevention Education | <input type="checkbox"/> Local Control and Accountability Plans |
| | <input type="checkbox"/> State Compensatory Education | <input type="checkbox"/> Other _____ |

For complaints regarding unlawful discrimination, harassment, intimidation, or bullying, please check the box(s) that reflect the basis for your complaint:

- | | | |
|--|---|---|
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Race | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Gender | <input type="checkbox"/> National Origin | <input type="checkbox"/> Mental or Physical Disability |
| <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Religion | <input type="checkbox"/> Age |
| <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Color | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Ethnicity | <input type="checkbox"/> Marital or Parental Status | <input type="checkbox"/> Association with any of these Categories |
| <input type="checkbox"/> Genetic Information | <input type="checkbox"/> Other _____ | |

*Schools have a separate complaint form available for *Williams* complaints (i.e. complaints regarding instructional materials, emergency and urgent facilities conditions that pose a threat to the health and safety of pupils, and teacher vacancies or misassignments). Schools will not reject a complaint if the form is not used as long as the complaint is submitted in writing.

1000 - COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

ARR 1312.4

Page (1 of 4)

The Sacramento County Office of Education (SCOE) shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred in a SCOE operated school:

1. Textbooks and instructional materials:

- a. A SCOE pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state or SCOE adopted textbooks or other required instructional materials to use in class.
- b. A SCOE pupil does not have access to textbooks or instructional materials to use at home or after school.
- c. SCOE textbooks or instructional materials are in unusable condition, have missing pages, or are unreadable due to damage.
- d. A SCOE pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials. (Education Code section (EC) 35186; Title 5, California Code of Regulations section (5 CCR) 4681)

2. Teacher vacancy or misassignments:

a. A semester begins and a SCOE teacher vacancy exists.

(1) Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (EC 35186; 5 CCR 4600)

(2) Beginning of the year or semester means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (5 CCR 4600)

- b. A SCOE teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.
- c. A SCOE teacher is assigned to teach a class for which the teacher lacks subject matter competency.

1000 - COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

ARR 1312.4

Page (2 of 4)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (EC 35186; 5 CCR 4600, 4682)

3. SCOE Facilities:

- a. A condition in a SCOE facility poses an emergency or urgent threat to the health or safety of pupils or staff. Emergency or urgent threat means SCOE structures or systems that are in a condition that poses a threat to the health and safety of pupils or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (EC 17592.72)
- b. A SCOE school restroom has not been cleaned, maintained, or kept open in accordance with EC 35292.5.
 - 1) Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (EC 35292.5)
 - 2) Open restroom means, except as necessary for pupil safety or to make repairs, the school has kept all restrooms open during school hours when pupils are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes. (EC 35292.5, 5 CCR 4683)

FILING OF COMPLAINT

A complaint alleging any condition(s) specified above shall be filed with the SCOE principal or designee at the SCOE school in which the complaint arises. The principal or designee shall forward a copy of the complaint to SCOE's Deputy Superintendent in a timely manner, but not to exceed 10 working days. (5 CCR 4680)

Complaints may be filed anonymously.

1000 - COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

ARR 1312.4

Page (3 of 4)

INVESTIGATION AND RESPONSE

The SCOE principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (5 CCR 4685)

If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the Sacramento County Superintendent of Schools (Superintendent) or designee. (5 CCR 4680, 4685)

When 15 percent or more of the pupils enrolled in a particular school speak a single primary language other than English and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Sacramento County Board of Education (Board) at a regularly scheduled meeting. (5 CCR 4686)

For any complaint concerning a SCOE facilities condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in Item 3.a above, a complainant who is not satisfied with the resolution provided by the principal or Superintendent or designee may file an appeal to the State Superintendent of Public Instruction within 15 calendar days of receiving the response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (5 CCR 4687)

All complaints and written responses shall be public records. (5 CCR 4686)

SCOE shall report to the Board summarized data on the nature and resolution of all complaints, including the number of complaints by general subject area and the number of resolved and unresolved complaints. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

FORMS AND NOTICES

The Superintendent or designee shall ensure a *Williams* complaint form is available at each school. However, complainants need not use SCOE's complaint form in order to file a complaint. (5 CCR 4680)

1000 - COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

ARR 1312.4

Page (4 of 4)

The Superintendent or designee shall ensure that SCOE's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (5 CCR 4680)

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in EC 35186.

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06/11/13 Reviewed by Cabinet

06/18/13 Reviewed by Board of Education (formerly ARR 1322)

07/01/13 Distribution

WILLIAMS UNIFORM COMPLAINT PROCEDURES FORM

Education Code section 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below. You need not use this form to file a complaint, so long as the complaint is submitted in writing.

Response requested? Yes No

Name (Optional)		
Street Address/Apt.# (Optional)		
City	State	Zip Code
Home Phone (Optional)	Cell Phone (Optional)	Work Phone (Optional)
Email Address (Optional)		
Location of the problem that is the subject of this complaint		
School Name/Address		
Course Title/Grade Level/Teacher Name		
Room Number/Name of Room/Location of Facility		
Date problem was observed		

Only the following issues may be the subject of this *Williams* complaint process. If you wish to file a complaint about an issue not specified below, please use the appropriate Sacramento County Office of Education complaint procedure.

Specific issue(s) of the complaint:

(Please check all that apply. A complaint may contain more than one allegation.)

Textbooks and Instructional Materials: (EC 35186; 5 CCR 4681)

- A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state or SCOE-adopted textbooks or other required instructional materials to use in class.
- A pupil does not have access to textbooks or instructional materials to use at home or after school. (This does not require two sets of textbooks or instructional materials for each pupil.)
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

Teacher Vacancy or Misassignment: (EC 35186; 5 CCR 4681)

- Teacher Vacancy - A semester begins and a teacher vacancy exists. (A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.)
- A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Facility Conditions: (EC 17592.72, 35186, 35292.5; 5 CCR 4683)

- A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including: gas leaks, nonfunctional heating, ventilation, fire sprinklers or air-conditioning systems, electrical power failure, major sewer line stoppage, major pest or vermin infestation, broken windows or exterior doors or gates that will not lock and that pose a security risk, abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.
- A school restroom has not been maintained or cleaned regularly, is not fully operational and has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. (This does not apply when temporary closing of the restroom is necessary for pupil safety or to make repairs.)

