

Orchard School District Student-Parent Handbook

ORCHARD SCHOOL MISSION AND VISION

Our Mission: “We will meet you where you are and prepare you for where you are going.”

Our Vision: Inspire one student, one family and one neighborhood at a time.

JEFF BOWMAN
Superintendent

TBD
Principal

TABLE OF CONTENTS

SCHOOLWIDE EXPECTATIONS & BRUINS MATRIX

STUDENT SECTION

ATTENDANCE AND TRUANCY
ACADEMIC/BEHAVIORAL SUPPORTS
BEFORE AND AFTER SCHOOL PROGRAMS
BEHAVIORAL RESTRICTIONS
BICYCLES & SKATEBOARDS
BULLYING
DISCIPLINE REFERRALS
DRESS CODE
HOME-SCHOOL COMMUNICATION
HOMEWORK
OFFICE TELEPHONE
PUPIL FEES, DEPOSITS, AND OTHER CHARGES

PROGRESS REPORTS and REPORT CARDS/CONFERENCES

SCHOOL LIBRARY
SERIOUS VIOLATIONS
SEXUAL HARASSMENT/RACIAL ETHNIC SLURS
STUDENT USE OF TECHNOLOGY
TOBACCO FREE CAMPUS
ZERO TOLERANCE
8th GRADE PROMOTION ACTIVITIES

PARENT SECTION

ORCHARD COMMUNITY RESOURCES

ACADEMIC RESOURCES AND SUPPORTS
MENTAL HEALTH RESOURCES AND SUPPORTS
NEW COMMUNITY RESOURCE CENTER
STUDENT SUCCESS TEAM (SST)
SAFETY AND CRISIS RESPONSE
RISK ASSESSMENT...
ATTENDANCE
CALIFORNIA HEALTH YOUTH ACT...
STUDENT SUBSTANCE ABUSE PREVENTION
IMMUNIZATION
MEDICATION
MEDICATION REGIMEN
COMMUNICABLE CONDITIONS
VISION EVALUATION
EMERGENCY EPINEPHRINE
HEARING EVALUATION
CHILDREN WITH DISABILITIES
HEALTH SCREENING REQUIREMENT...
MEDICAL INSURANCE
CALIFORNIA HEALTHY KIDS SURVEY (CHKS)
PERSONAL BELIEFS
ACCESSIBILITY...
NONPUBLIC SCHOOL PLACEMENT...
REQUIREMENTS FOR NONPUBLIC PLACEMENT...
SPECIAL EDUCATION DUE PROCESS COMPLAINTS
SEXUAL HARASSMENT POLICY...
COMPLAINT PROCEDURES
EQUAL OPPORTUNITY EMPLOYER
ENGLISH LANGUAGE DEVELOPMENT...
MANDATED REPORTING OF CHILD ABUSE
TEMPORARY DISABILITY OF A STUDENT...
PARENT AND PUPIL RIGHTS REGARDING INSTRUCTION, INSTRUCTIONAL MATERIALS AND TESTING
OTHER PARENT/PUPIL RIGHTS

UNIFORM, WILLIAMS AND OTHER COMPLAINT PROCEDURES

*** (PLEASE READ AND SIGN THE LAST PAGE AND RETURN TO THE TEACHER) ***

SCHOOLWIDE EXPECTATIONS

The Orchard Bruins Behavior Matrix defines how students should behave in all areas of the school campus, and is included at the beginning of this handbook for both students in grades TK – 8. The Behavior Matrix is based on common principles that we foster at Orchard School.







For TK-8 grades, Orchard Bruins are:

- Prepared
- Attentive
- Working together
- Safe

All students are responsible for the following:

- Respect the personal rights and property of others.
- Follow all school and classroom rules and limits.
- Respect the authority of the principal, teachers, and school staff.
- Attend school regularly, report to school on time, and be prepared each day with books, pencils, and homework.

Orchard School TK- 8 Bruins Matrix

<p style="text-align: center;">BRUINS are</p>	<p style="text-align: center;">Restroom</p> 	<p style="text-align: center;">MS Quad/ Elementary Pods</p> 	<p style="text-align: center;">Front/District Office</p> 	<p style="text-align: center;">Outside/Playground</p> 	<p style="text-align: center;">Cafeteria</p> 	<p style="text-align: center;">Library/ Computer lab</p> 
<p style="text-align: center;">Prepared</p>	<ul style="list-style-type: none"> · Use the restroom before school, at recess, lunch, and after school 	<ul style="list-style-type: none"> · Know and go directly to your destination · Not allowed before school or during recess · Only enter a Pod with a teacher 	<ul style="list-style-type: none"> · Know why you are going there · Clearly state why you are there · Have all your belongings that you need · Know how to call home (4th-8th) 	<ul style="list-style-type: none"> · Bring your coats, snacks, and playground equipment 	<ul style="list-style-type: none"> · Know your lunch number (4th-8th) · Get everything you need the first time through · Line up quietly 	<ul style="list-style-type: none"> · Have your books and materials · Eyes, ears, and brains turned on
<p style="text-align: center;">Attentive</p>	<ul style="list-style-type: none"> · Use a quiet voice · Throw trash away · Wash your hands · Flush the toilet 	<ul style="list-style-type: none"> · Stay with your class · Stay in designated areas, behind the lines 	<ul style="list-style-type: none"> · Walk to the front office/district office · Use inside voices · Wait patiently · Clean up after yourself 	<ul style="list-style-type: none"> · Walk, unless you're on the playground · Use equipment responsibly and return · Eat at tables · Listen to Yard duties 	<ul style="list-style-type: none"> · Eat your own food · Use inside voices · Raise hand to leave · Dump trash quietly and carefully (stack red baskets) · Respect other people's food 	<ul style="list-style-type: none"> · Actively listen · Use inside voices when allowed · Work diligently
<p style="text-align: center;">Working Together</p>	<ul style="list-style-type: none"> · Report problems · Wait your turn · Clean up after yourself 	<ul style="list-style-type: none"> · Pick up trash as you walk by · Use a "six inch voice" · Do not disrupt classes 	<ul style="list-style-type: none"> · Help younger students · Share responsibilities with others · Use positive, kind words 	<ul style="list-style-type: none"> · Stay in your designated area · Show good sportsmanship · Pick up trash when you see it · Report problems 	<ul style="list-style-type: none"> · Clean up your area · Help others clean if they drop something · Use manners and kind words 	<ul style="list-style-type: none"> · Put materials away · Leave the area cleaner than you found it
<p style="text-align: center;">Safe</p>	<ul style="list-style-type: none"> · Keep hands, feet, and eyes to yourself · Always walk 	<ul style="list-style-type: none"> · Hold the door for others when entering · Keep hands and feet to yourself · Walk in dry areas 	<ul style="list-style-type: none"> · Follow directions · Keep hands, feet, and belongings to yourself · Hold the door open for the next person 	<ul style="list-style-type: none"> · Take turns · Treat others as you would like to be treated · Keep your hands and feet to yourself 	<ul style="list-style-type: none"> · Be seated before you start eating · Always walk 	<ul style="list-style-type: none"> · Follow library/ computer lab procedures · Treat others as you would like to be treated · Push in your chair

STUDENT SECTION

ACADEMIC/BEHAVIORAL SUPPORTS:

Orchard School District operates under the principles of Growth Mindset, in which any individual can grow their brain and achieve anything with effort and the right strategies. Making mistakes is considered a part of the learning process under the principles of Growth Mindset. It is the goal of the Orchard School District that all students adopt and utilize a growth mindset for their learning.

ATTENDANCE AND TRUANCY

We feel that consistent attendance is one of the keys to academic success. Parents can help their child succeed by ensuring their daily attendance. Children should be in school every day unless they have an excused absence (i.e. illness, death/funeral in immediate family, doctor or dental appointment). Parents should call the school office at (408) 944-0388 on the day of the absence by 9:00am and send a note of explanation when the child returns. In case of routine appointments, children should attend school for a partial day so that academic time and state funding is not lost for the day. Three or more unexcused absences and/or tardies will be considered truant. Truancies are reported to the school administration for further action including possible referral to the School Attendance Review Board or the San Jose District Attorney, in accordance with California Education Code §48260.

TARDINESS/EARLY ARRIVAL

Promptness to school is very important. Children who arrive later than the second bell should have a note from their parents stating why they were late and should report to the office to check in. If a student arrives late due to a medical/dental appointment, a doctor's note is required to be considered excused. They will be given a "late pass" and then sent to their classroom. Unexcused tardies will be listed on the student's report card.

EXCESSIVE ABSENCES

When a student has had five absences during the course of the school year for illness, a physician must verify any further absence for illness. Students who are absent for more than ten consecutive days for any reason will be withdrawn from school. When the student returns, they will be reinstated to Orchard. If no space is available in their previous class, the student will be placed in any other available class.

HOMEWORK FOR ABSENTEES

Students are expected to make-up all work missed during their excused absence. Students absent for one or two days should check their teachers' websites for assignments and see their teachers when they return to school. Teachers are not obligated to accept make-up work from an unexcused absence. Students absent due to illness for more than two days may request homework through the school office on the third day of absence or later. Parents must call the office before 9:00am and the homework may be picked up after 24 hours from the initial request.

BEFORE AND AFTER SCHOOL PROGRAMS

Students are expected to follow all school rules while participating in before school and after school programs. Failure to do so may result in disciplinary actions and removal from the program.

AFTER SCHOOL SPORTS ELIGIBILITY

In order to be eligible to try-out or participate in any given sport season, a student must have maintained a 2.0 grade point average with no Fs from the previous semester or trimester grading period and maintain a 2.0 grade point average for the current semester or trimester with no Fs and meet all academic/behavioral restrictions as dictated in this handbook (Please see ACADEMIC/BEHAVIORAL RESTRICTIONS). Students may also be required to submit a weekly "Performance/Grade Check" to their coach and the assistant principal. Students must also be able to fully participate in their physical fitness class during the day. Students failing to meet or maintain this standard will be disqualified from try-outs or withdrawn for the remainder of the sport season. Students are not eligible to participate in a game if they are absent from school that day. Participation status may only be reinstated by the administration.

BEHAVIORAL RESTRICTIONS

A student may be restricted from school activities for any of the following reasons related to student behavior:

1. One (1) suspension will result in restriction from activities for six (6) weeks. Two (2) suspensions will result in a meeting with a school administrator to develop a behavioral plan and a six (6) week restriction from activities. Students suspended a second time will lose an eighth grade activity. Three (3) suspensions will result in students becoming ineligible to participate in all activities for the remainder of the school year. Student and parent will re-meet with a school administrator and district administrator to revise current behavioral plan. This is considered a preliminary step in the expulsion process.
2. Use or possession of drugs or weapons on campus or at a school activity or any other expellable offense, will result in restriction from all activities for the remainder of the school year.

BICYCLES, SCOOTERS & SKATEBOARDS

1. Due to safety concerns, only students in grades 4 – 8 may ride bicycles to school.
2. All bicycles must be kept locked in the designated bike area.
3. Bicycles and scooters must be walked on the school grounds.
4. All bicycle safety rules will be respected when riding to and from school.
5. Everyone riding a bicycle to school must wear an approved helmet.
6. Bicycles are not allowed inside any of the school buildings or in the staff parking lots.

While at school, bicycles must be locked in the designated area. The school will not assume responsibility for stolen or damaged bicycles; questions of ownership, theft or damage. These problems will be referred to the local authorities. Bicycles, skateboards, and scooters are not to be ridden on school grounds, including the blacktop at any time, including before and after school hours.

Students who choose to ride a skateboard to school must arrange for daily storage with a teacher. Students cannot ride their skateboards on campus, or through the staff parking lot. Students may not carry skateboards with them during the school day.

BULLYING

Bullying of any kind, which includes repeated physical, verbal or emotional harassment, is strictly prohibited. This may include, but is not limited to: spreading rumors, posting disparaging content on social network websites or apps, and texting or leaving harassing phone messages. The Orchard School Board of Education has adopted policy (OSD BP 5131) which addresses this serious issue. This behavior is taken very seriously, and students who engage in bullying will be severely punished, possibly including suspension and referral to law enforcement.

DISCIPLINE REFERRALS

Student behavior is positively reinforced. All efforts will be made by the Orchard staff to recognize and award improved and appropriate student behavior. These efforts may include:

- Classroom recognition by teacher
- Parent contact by teacher or principal/assistant principal
- Continued positive counseling by teacher or principal/assistant principal
- Good behavior certificates awarded by the staff
- Recognition Assemblies

In the event that a major school or classroom rule infraction occurs, a discipline referral may be issued. Consequences for major rule infractions may include any of the following:

- Warning
- Loss of one or more recesses
- Detention
- Community service
- Parent shadow
- Removal from classroom by teacher or principal/assistant principal
- In-School Suspension
- Parent contact/meeting
- Student behavior contract
- Referral to school counselor
- Conflict Resolution
- Suspension by the principal/assistant principal from the school
- Expulsion from school

In ALL major rule infractions, parents will be notified. Parents of students who are suspended from the classroom or from the school will always be notified.

DRESS CODE

Students must be dressed appropriately for school so that the student dress and appearance cannot be hazardous to the health and safety of anyone in the school, nor can it be disruptive to the learning process. The following are guidelines:

1. Shoes must be worn at all times. Sandals must be close-toed with heel straps. Flip-flops, backless shoes or sandals are not acceptable. Roller shoes or skates are also not acceptable. Appropriate footwear must be worn during physical education activities.

2. Clothing, jewelry, and personal items (backpacks, gym bags, water bottles, etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or of a sexual nature, which bear drug, alcohol or tobacco company advertising, promotions and likeness, or which advocate racial, ethnic, religious prejudice.
3. Hats, caps, sweatshirt hoods and other head coverings shall not be worn indoors except for a medical or religious purpose.
4. Clothing shall be sufficient to conceal undergarments at all times. Clothing that is too revealing or skin tight such as bathing suits, tube tops, tops with low cut underarms, tops with spaghetti straps, tops that are strapless, tops with one shoulder strap, tops that are see-through, low cut, or backless are not permitted. Sleeveless garments must extend to the end of the shoulders and fit closely under the arms. Tops that expose the midriff may not be worn. Pants and shorts must fit at the waist, not "sag". "Short" shorts or skirts are not permitted (need to be as long as fingertips). Chains of any kind and spiked apparel are not permitted.
5. Teachers may impose more stringent dress and grooming requirements to accommodate the special needs of certain physical education activities and/or classes.

When a student chooses to ignore the dress code, the student will be sent to the office to call home for proper attire. If a student continues to ignore the dress and grooming code, he/she will be subject to disciplinary action.

HOME-SCHOOL COMMUNICATION

Orchard School District values communication between home and school. In order to facilitate home school communication, teachers and staff may use various forms of communication including but not limited to: In person communication via parent teacher conferences, written notes sent home, email, text or other written communication. Citations are issued by staff to students for rule infractions. Citations must be taken home by the student, signed by the parent, and returned to the classroom teacher by the next school day.

HOMEWORK

The objective of homework is to assist and improve a student's learning. Homework is to be reasonable in length, directly related to classroom work, well defined in advance by the teacher, understood by the student, non-punitive and reviewed with feedback to students.

It is the student's responsibility to complete homework. It is the parent's responsibility to support homework completion through encouragement and involvement with the student. Furthermore, students should have a quiet, clean, well-lit area in which to complete their homework.

The type of homework assignments and length should vary according to the student's level:

- Kindergarten: Homework is based on the teacher's judgment of the student's needs.
- Grades 1 – 8:
 - Homework is to be expected as part of the student's educational program.
 - Homework is part of the student's regular work.
 - Homework may vary as either daily, weekly, short term, or long term projects.

OFFICE TELEPHONE

Student use of the office telephone is restricted to emergencies such as injury or illness. All other uses are upon the discretion of the office staff.

PUPIL FEES, DEPOSITS, AND OTHER CHARGES

The California Constitution mandates that public education is provided to students free of charge unless the law authorizes a fee explicitly for a particular program or activity. This constitutional right of free access encompasses all educational activities, whether curricular or extracurricular and regardless of whether credit is awarded for the educational activity. A process that allows for a waiver process for an otherwise mandatory fee, charge or deposit does not render it constitutionally permissible. The California Department of Education has set regulations that provide that students “shall not be required to pay any fee, deposit or other charge” for educational or extracurricular activities, unless the fee is expressly authorized by law.” (CA Code of Regs., Title 5, sec, 350) Under Education Code section 35330 fees related to field trips are considered permissible fees. However, a student may not be denied the opportunity to participate in the field trip for failure to pay the fee.

The law does allow the District to request voluntary parent donations to support school activities. The law also allows the District to ask students to assist with fundraising. Fundraising is voluntary, and no child will be denied participation due to lack of participation in the fundraising activities.

PROGRESS REPORTS and REPORT CARDS/CONFERENCES

Report cards are sent home three (3) times a year for K – 5th grade. Students in grades 6 – 8 receive report cards two (2) times a year, with progress reports sent home about eight (8) weeks before each one. Parents are encouraged to attend Curriculum Night (Back to School), Fall Report Conferences, and Open House. Other conferences are scheduled at the request of staff or parents.

SCHOOL LIBRARY

Students may use the school library for research or to check out books according to the following rules:

- Kindergarten, 1st, and 2nd grade students are allowed to check out one book each week.
- 3rd, 4th, and 5th grade students are allowed to check out two books each week.
- Middle school students are allowed to check out three books each week.

Students with overdue library books lose their library book checkout privilege until the late item(s) are returned. Families will be charged for damaged or lost textbooks or library books that their child is responsible for. Books are very expensive and the school cannot afford to absorb the costs for replacing these books. If a lost book is found after it has been paid for, the money will be refunded upon request.

SERIOUS VIOLATIONS

Suspension or expulsion may result from any of the following acts:

EDUCATION CODE §48900

- (1) Caused, attempted to cause, or threatened to cause physical injury to another person; or
 - (2) Willfully used force or violence upon the person of another, except in self-defense. [Battery]
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.

- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind, including the prescription drug Soma.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant of any kind, including Soma, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property, including electronic files or databases.
- (g) Stole or attempted to steal school property or private property, including electronic files or databases.
- (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (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.
- (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 as 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, 288, 288a, or 289 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 witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Aided or abetted the infliction, or attempted infliction, of physical injury to another person; may be suspended but not expelled.
- (q) Engaged in, or attempted to engage in hazing as defined in §32050.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act specifically toward a pupil or school personnel.
- (s) A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to any of the following: (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.

EDUCATION CODE §48900.2

Committed sexual harassment as defined in §212.5.

EDUCATION CODE §48900.3

Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of §233.

EDUCATION CODE §48900.4

Engaged in harassment, threats, or intimidation.

EDUCATION CODE §48900.7

Made terrorist threats against school officials or school property, or both.

EDUCATION CODE §48915(a)(5)

Committed assault or battery (as defined in PC 240 & 242) upon any school employee.

California Penal Code 417.27 (b) Possession of laser pointer.

PLEASE NOTE: DURING THE PERIOD OF SUSPENSION FROM SCHOOL, THE PUPIL MUST NOT BE ON OR NEAR SCHOOL CAMPUS AND IS NOT ALLOWED TO ATTEND ANY SCHOOL RELATED ACTIVITY.

SEXUAL HARASSMENT/RACIAL ETHNIC SLURS

The District shall maintain an educational, employment, and business environment free from harassment, intimidation, or insult on the basis of an individual's sex. Action will be taken when necessary to eliminate such practices or remedy their effects. Sexual harassment constitutes an unlawful form of sex discrimination. Within the educational environment, sexual harassment is prohibited between students, between employees and students, and between other non-students and students. Within the employment environment, sexual harassment is prohibited between supervisors and employees, between nonemployees and employees, and between employees. A copy of Board Policy 4119.11, Sexual Harassment, is included in this packet of information, and is available and posted in the school office.

STUDENT USE OF TECHNOLOGY

Use of school computers and access to the Internet is a privilege and will only be used for school-related education and research. Each student who is authorized to use district technology and their parent/guardian shall sign the Acceptable Use Agreement. Students are expected to follow the directions of teachers and school staff and abide by the rules of the school and school district. If students do not follow the rules, they will be disciplined and may lose their computer privileges. Students must abide by the following technology rules:

- Students will not access or post material that is inappropriate
- Students will not post or share other's personal information or engage in cyberbullying
- Handle all equipment with care and only with permission
- Any type of food or drink is not allowed in the library or computer lab.
- Protect your password! Do not allow anyone else to use your password and do not use anyone else's password.
- Do not alter the log-in screen or desktop screen-saver.
- Never vandalize or copy computer data, including copyright protected material (plagiarism) or other students' assignments.
- Students will only visit websites and apps that are appropriate and that pertain to their class work.

Students will be responsible, appropriate, legal and ethical users of technology.

TOBACCO FREE CAMPUS

Orchard School is a tobacco-free campus. Visitors and guests are prohibited from smoking while on school grounds, or in the school parking lots. Information on smoking cessation programs is available in the front office.

ZERO TOLERANCE

The Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and wellbeing of all students (OSD BP 5000 5149). When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction. The Board supports a zero tolerance approach to serious offenses. Any school-related possession, use, sale, furnishing, or receiving of any weapon, including, but not limited to a firearm, knife, explosive, or other injurious object not necessary for the academic purposes of the student and capable of inflicting substantial bodily injury – shall not be tolerated. Expulsion is the action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when a threat of violence involves a dangerous weapon. It ensures fair and equal treatment of all students and requires that all offenders be punished to the fullest extent of the law.

8th GRADE PROMOTION ACTIVITIES

Promotion activities are considered to be privileges. A student may not participate in any 8th grade activities (i.e. promotion ceremony, field day and/or trip, dance) if he/she has one or more of the following: one (1) F, or two (2) or more Ds on the 2nd semester report; seven (7) or more tardies to school; two (2) or more unexcused absences; three (3) or more referrals (including none within six weeks prior to the scheduled activity). Failure to serve an assigned after school detention or school service will result in restriction from all school activities, including the graduation ceremony, until the detention or school service is served.

PUPIL/PARENTS RIGHTS AND RESPONSIBILITIES

Described below are certain important programs and services the school District offers your children. Also included are pupil and parent rights and responsibilities related to those opportunities.

To assure that all parents are informed of these rights, please acknowledge receipt of this notification by electronically signing AND submitting the form or by signing and returning the tear-off form at the front of this booklet to your child's school.

ORCHARD COMMUNITY RESOURCES

ACADEMIC RESOURCES AND SUPPORTS

School Library

All classrooms are scheduled to visit the library on a regular basis throughout the school year. Students are encouraged to check out books on a weekly basis.

SORA Digital Library

Since the 2019-20 school year all students will have had access to a digital library. The library can be accessed year round/ 24 hours a day from any digital device (tablet, phone, computer). Once the book is checked out the student will have access to it for two weeks and at the end of the two weeks the book will automatically return to the digital library.

Access to Online Programs

Students will have access to a variety of online programs to enhance skills being taught in the classrooms at Orchard.

Benchmark Assessments

Students will take two assessments each year that will provide both the teacher and family feedback on student progress in Language Arts and math.

Student Study Team (SST)

If a student is struggling at Orchard, he or she may be referred by the teacher to SST. There is a detailed description of the SST purpose and process at the end of this resource section.

Extended Learning Opportunities

Each year Orchard strives to provide students with extended learning opportunities. We offer afterschool programs that enrich the lives of our students (i.e. Sports, Dance and Starting Arts) as well as afterschool academic intervention programs. In addition to afterschool programs, Orchard offers summer learning opportunities. Students in grades third through eighth can experience math and students in the middle school can take a course in computer science. Each year we look for additional opportunities for summer learning.

MENTAL HEALTH RESOURCES AND SUPPORTS

Support Staff

Orchard now offers a variety of mental health support staff including: full time school psychologist, a psychologist intern and a full time counselor. Services may include facilitating social and emotional services, conducting parent workshops and coordinating services with individuals and groups, risk

assessment, crisis response, and SST facilitation.

Bruin Zen Den

The Bruin Zen Den is our new sensory room and will be located in Room 5 on the elementary side of campus. The room is designed to assist students of all ages with self-regulation. At times, students come to school and may be feeling tired, anxious, worried, afraid, frustrated or even hungry. If a student is experiencing feelings that make it difficult to participate successfully in the classroom may have an opportunity to go to the Bruin Zen Den to regulate their feelings and behavior.

ORCHARD COMMUNITY RESOURCE CENTER

We are excited to announce the opening of our new Community Resource Room. The room will be located on the middle school side of the campus in room 40. The room will be used for parent meetings, parent workshops and to provide families with a variety of resources. Below are some of the possible free resources that will be available this school year.

- Computer and printer available for use during hours the Center is open
- Parent classes
- Assistance with completing forms and information on school programs and procedures · Translation services
- Libraries for adults and children
- Food pantry
- Clothing closet
- New shoes
- School supplies
- Haircuts
- Free eye exams and glasses for students in need
- Medical and dental services
- Mental health services

STUDENT SUCCESS TEAM

What is the Student Success Team?

A Student Success Team (SST) consists of school personnel knowledgeable about the student, the parent(s)/guardian(s), and when appropriate, the child. The SST uses a positive, problem solving intervention process to review the student's individual strengths and needs in order to develop strategies for addressing those needs. The philosophy is based upon the belief that the school, home, and community need to work together to assist the student with obstacles that become evident in the school setting.

How is a student referred for an SST meeting?

Usually the classroom teacher makes the initial referral and indicates that the student's learning, behavioral, and/or emotional needs are not being adequately met under existing circumstances. Parents may also refer their student for their child for Student Success Team consideration.

SAFETY AND CRISIS RESPONSE

Crises may range in type, magnitude, and other factors that may impact students' educational functioning.

Crisis or safety response may result from natural (e.g. earthquake) or human caused (e.g. accident) events. Orchard uses a comprehensive safety plan and trained staff to support individual, classroom, and campus levels of intervention as ruled necessary by our safety and crisis response teams.

RISK ASSESSMENT

When an individual student is identified by a staff person or self-referred as a potential safety risk to self or others, the student will be seen by a school employed mental health professional within the same school day to assess risk and facilitate referral. If there is no mental health professional available, an administrator or other administratively designated professional will fill this role until a mental health professional can be brought in.

For students returning to school after a mental health crisis, a school employed mental health professional, the principal, or designee will meet with the student's parent or guardian, and if appropriate, meet with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school.

In situations where a student is assessed at risk for suicide or has made a suicide attempt, the student's parents or guardian will be informed as soon as practicable by the principal, designee, or mental health professional. The parent or guardian will be provided with recommendations for next steps to support their student.

ATTENDANCE

1. **Absences** - The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct problems of chronic absence or truancy.

Absences Due to Family Travel and Vacations - The District does not support the practice of taking trips/vacations on school days. Short-term independent study contracts may be requested in accordance with Board Policy and Administrative Regulation 6158 for an absence that is between five and ten days long. Short-term independent study contracts must be requested ten school days before the first day of the absence and are approved on a case-by-case basis by the school principal. The District will not hold a student's seat at a school after a ten-day absence, with or without a Short-term independent study contract, without pre-approval due to extenuating circumstances. The Office will work with families upon their return to confirm residency when an absence is more than ten days and is not pre-approved.

2. **Excused Absence for Personal Reasons** - The following specific information is important to you: A student shall be excused from school for justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service of an immediate family member, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been 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. CA Education Code 48205 states the following:

CA Education Code § 48205 (2017)

(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.
- (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.
 - 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, has the same meaning as set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."
 - b. A student 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, shall be given full credit. The teacher of any class from which a pupil is absent shall determine, pursuant to the regulations of the governing board of the school district, what assignments the pupil shall make up and in what period of time the pupil shall complete those assignments. The tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

3. Unexcused Absences/Truancy - The Superintendent or designee shall implement whatever steps are deemed appropriate to keep students in school, including the use of attendance review boards and/or student study teams. The Board of Education believes that intervention at the earliest time in elementary grades is the best method of reducing the number of students who are habitually absent or

tardy. Any pupil subject to compulsory full-time education who is absent from school without valid excuse three full school days in one year or tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor or to the superintendent of the school district. (Education Code 48260)

A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's attendance supervisor. (Education Code 48263, 28364.5)

4. **Absence of Students for Religious Purposes** - Absence of students for religious purposes at a place away from school property and after the student has attended school for a minimum day is authorized by written consent of parent or guardian. The minimum day requirement does not apply to absences for observance of religious holidays. (California Education Code Section 46014)
5. **Excused Absence for Confidential Medical Services Release (Ed. Code 46010.1)** - Students in grades 7 and 8 may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian.

Health Curriculum

6. **California Healthy Youth Act (Ed. Code, § 51930 et seq.)** – The California Healthy Youth Act (“Act”) authorizes a school district to inform parents/guardians about the district's comprehensive sexual health education and HIV prevention education. Parents/guardians will be notified no less than fourteen days prior to comprehensive sexual health education and/or HIV prevention education being provided to their student. Once arrangements for instructions are made parents/guardians will be notified whether the comprehensive sexual health education and/or HIV prevention education will be taught by school district/county office personnel or by outside consultants. A parent/guardian may request a copy of the Act from the school district. Written and audio-visual educational materials used in comprehensive sexual health education and HIV prevention education are available for parent/guardian inspection. A parent/guardian may request in writing to the school district that his/her child be excused from comprehensive sexual health education and/ or HIV prevention education. If the student's parent/guardian declines to permit the student to receive such instruction, an alternative educational activity must be made available to the student. These provisions do not apply to human reproductive organs which may appear in science textbooks, adopted pursuant to law.
7. **Student Substance Abuse Prevention** - Student substance abuse prevention and early identification and intervention programs for students are supported by the Board of Education to keep students free from the use of harmful drugs, alcohol, and tobacco. (Board Policy 5131.6) 13 Student Health Information.
8. **Immunization** - Immunization for communicable disease is required of all children attending public school. You must submit an up to date immunization record at the time your child enrolls in school. If a child is not properly immunized or a valid Medical Exemption Statement from a medical doctor or doctor of osteopathic medicine who is licensed in the United States is not on file, the law requires that we exclude him/her from school. (California Education Code Section 48216) Immunization

arranged for by the district for any of its programs is administered only with written consent of a parent. (California Education Code Section 49403).

9. **Medication** - Medication prescribed by a physician and over-the-counter medication required by a child during the school day may be administered by designated District employees if the school district receives (1) a written statement from the physician detailing the method, amount and time schedules by which such medication is to be taken, and (2) a written request from the parent or the guardian.

10. Medication permission forms are available at the school. (California Education Code Section 49423).

11. **Medication Regimen** - The parent or legal guardian of any public school student on a continuing medication regimen for an existing condition shall inform the school principal or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With consent of the parent or legal guardian of the student, the school nurse may communicate with the physician and may counsel with school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. (California Education Code Section 49480).

12. **Communicable Conditions** - Students may be sent home because of a communicable condition such as head lice. The District enforces a "no nit" head lice policy. (California Education Code Section 48213, and California Administrative Code, Title 5, Section 202).

12. **Vision Evaluation** - Evaluation of a child's vision by the school district is required upon enrollment in a district and in grades 2, 5 and 8. The evaluation is waived upon presentation by the parent of an appropriate certificate from a physician or optometrist. (California Education Code Section 49452) Excusal from this requirement due to religious reasons is permitted upon written request from the parent.

13. **Emergency Epinephrine** - School districts, county offices of education, and charter schools shall provide emergency epinephrine auto-injectors to school nurses or trained personnel who have volunteered and school nurses or trained personnel may use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. If your child should not receive this emergency medical aid, notify your school in writing.

14. **Hearing Evaluation** - Evaluation of a child's hearing by the school district is required in grades K, 2, 5, and 8. The evaluation is waived upon presentation of a proper certificate from a physician. (California Education Code Section 49452).

15. **Children with Disabilities** - Children with disabilities have a right to a free appropriate public education and, if required, special education instruction and services that meet their unique needs. Such services may include specialized physical health care services for eligible students. (California Education Code Section 56000).

16. **Health Screening Requirement** - State law requires school districts to exclude any first grade student from school for up to five (5) days if the student does not have a health screening or the appropriate waiver. (Health and Safety Code Section 124105).

17. **Medical Insurance** - The Orchard School District does not provide medical insurance for students for school-related injuries. Medical expenses are the responsibility of the family.

Parent and Student Rights

18. **California Healthy Kids Survey (CHKS)** - The CHKS may be given bi-annually to students in grades 5 and 7. The survey data collected assists the District in: (1) fostering positive school climates and engagement in learning; (2) preventing youth health-risk behaviors; and (3) promoting positive youth development.

19. **Personal Beliefs** - Personal beliefs of students or parents are not explored through a test, questionnaire, survey, or examination which has questions about the student or his/her parents' personal beliefs, sexual practices, family life, morality, and religion without written permission by the parent or guardian. (California Education Code Section 51513)
20. **Accessibility** - Federal and state laws require that all school activities or school related activities shall be accessible to all students, including students with disabilities, to the maximum extent possible. (California Education Code Sections 56001(g) and 34 CFR 300.114)
21. **Nonpublic School Placement** - Nonpublic, nonsectarian schooling is available for a student with disabilities for whom a special education placement in a public school is unavailable or inappropriate. (California Education Code Section 56031)
22. **Requirements for Nonpublic Placement** - If a parent/guardian is considering enrolling his/her disabled child in a private school at public expense without the consent or referral of the local educational agency, this is to inform you that a request for reimbursement of the cost of the private school placement may be reduced or denied unless you have met the following requirements:
- a. At the most recent IEP meeting that you attend prior to the removal of the child from the public school, you must inform the IEP team that you are rejecting the special education placement proposed by the public agency to provide a free appropriate public education. You must inform the IEP team of your concerns and state your intent to enroll your child in a private school at public expense; or
 - b. Ten (10) business days (including any holidays that occur on a business day) prior to the removal of your child from the public school, you must give written notice to the public agency that you are rejecting the placement proposed by the public agency to provide a free appropriate public education, stating your concerns with the public agency's placement, and that you intend to enroll your child in a private school at public expense.

Prior to your removal of the child from the public school, you must make the child available for evaluation by the public agency if the agency informs you, through appropriate notice requirements, of its intent to evaluate the child including a reasonable statement of the purpose of the evaluation. Further reimbursement may be limited or denied if a court determines that your actions were unreasonable. (California Education Code Section 56176)

23. **Special Education Due Process Complaints** - Special education due process complaints are filed with the Office of Administrative Hearings. Please refer to the special education Notice of Procedural Safeguards for further information. If not provided, this Notice may be obtained by contacting the Superintendent, Orchard School District. (California Code of Regulations, Title 5, Section 3080 et seq.)
24. **Sexual Harassment Policy** - The District shall maintain an educational, employment, and business environment free from harassment, intimidation, or insult on the basis of an individual's sex. Action will be taken when necessary to eliminate such practices or remedy their effects. Sexual harassment constitutes an unlawful form of sex discrimination. Within the educational environment, sexual harassment is prohibited between students, between employees and students, and between other nonstudents and students. Within the employment environment, sexual harassment is prohibited between supervisors and employees, between non-employees and employees, and between employees. A copy of Board Policy 4119.11, Sexual Harassment, is included in this packet of information, and is available and posted in the school office.
25. **Complaint Procedures** - In most cases, dissatisfaction with a student, employee, instructional program, or District condition can be resolved by contacting the staff member closest to, or responsible for, the circumstances. For example, if a parent was concerned about a teacher's decision and how it affects a student, the first point of contact would be with the teacher. Directly communicating with the person in question is often the only recourse necessary for problem resolution. Complaints that cannot

be resolved through informal discussion with the person(s) most directly involved should be referred to the school principal or superintendent.

The following complaint procedures are available:

Uniform Complaint Procedures

Uniform complaint procedures shall be followed when addressing complaints alleging unlawful discrimination or failure to comply with state and/or federal laws in consolidated categorical aid programs, child care and developmental programs, child nutrition programs, and special education programs. Parents may address complaints to the Superintendent, Orchard School District, 921 Fox Lane, San Jose, CA 95131. (California Code of Regulations, Title 5, Section 4600 and 4610)

Williams Uniform Complaint Procedures

The Williams Uniform Complaint Procedures establish policies and procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or misassignment.

Complaints Against Personnel

For personnel complaints not covered by Uniform Complaint Procedures, parents may request a copy of Complaints Against Personnel (Board Policy 1312.1) by contacting the Superintendent, Orchard School District, 921 Fox Lane, San Jose, Ca. 95131.

Complaints Concerning Instructional Materials

This process encompasses complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment. (Board Policy 1312.2) General Complaints

The General Complaint Procedures are for any staff member, parent, student, community member, or applicant who has a complaint regarding a practice, policy, or other condition of the District problems and concerns not listed above. (Board Policy 1312)

26. **Equal Opportunity Employer** - The Orchard School District provides equal opportunity in employment and access to school programs for all persons regardless of race, sex, religion, color, national origin, ethnic group, age, marital or parental status, physical or mental disability, or any other unlawful consideration in every aspect of personnel policy, practice, and program accessibility as required by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973.

Complaints may be addressed to the Superintendent, Orchard School District, 921 Fox Lane, San Jose, CA 95131.

27. **English Language Development** - English Learner students receive services by appropriately trained teachers within the general education classroom. The District's English Language Development program maintains high expectations for student achievement, which is provided in a supportive and positive environment.

28. **Mandated Reporting of Child Abuse** - Guidelines for parents to report suspected child abuse by school district employees or other persons against a student at a school site may be obtained by calling the Superintendent, at (408) 944-0397. (California Education Code Section 33308.1)

29. **Temporary Disability of a Student** - A student with a temporary disability which makes attendance in the regular day classes or alternative education program in which the student is enrolled impossible or inadvisable shall receive individual instruction. Individual instruction for a student with a temporary disability will consist of up to five (5) hours of service per week. The purpose of the individual

instruction is to maintain a student's academic standing while the student is unable to attend school. (California Education Code Section 48206.3)

30. **Parent and Pupil Rights Regarding Instruction, Instructional Materials and Testing** - State law requires that the District:

- a. Provides that all instructional materials and assessments, including books, teacher's manuals, films, tapes, and software must be made available for inspection by a parent. These materials need to be made available for "inspection" in a reasonable time frame or in accordance with procedures determined by the governing board.
- b. Grants parents the right to observe any instruction or other school activity involving their child. The parent must put this request in writing and the school district must accommodate this request within a reasonable time. Observations of students/student programs/school activities can be disruptive to the school environment. As a general matter, to minimize interruption of the instructional program, school site or student observations by non-school staff should be limited to 45 minutes of observation per month. The observer should be accompanied by an appropriate professional during the observation. However, this time may be increased/decreased by school sites depending on the particular circumstances of each observation request, including but not limited to the requirement of Education Code 56329.
- c. Prohibits a student from being compelled to affirm or disavow any particular personally or privately held world view, religious doctrine, or political opinion. This provision does not relieve students of any obligation to complete regular classroom assignments.
- d. Prohibits a student from being tested for a behavioral, mental, or emotional evaluation without the informed written consent of the student's parent or guardian.
- e. Prohibits, notwithstanding provisions of law to the contrary, a school from requiring a student, or student's family, to submit to any of the following: any assessment or monitoring of the student's home life; any form of parental screening or testing; any home-based counseling, parent training, or family education service plan.

32. **Other Parent/Pupil Rights** - State laws also provide the following parent and pupil rights and responsibilities:

- a. To observe in their child's classroom (upon reasonable notice) following Administrative Regulation 5020.
- b. To meet with their child's teacher and the school principal (upon reasonable notice);
- c. To volunteer their time and resources at the school;
- d. To be notified on a timely basis if their child is absent from school without permission;
- e. To be notified concerning their child's classroom and standardized test performance;
- f. To be informed of their child's progress and appropriate school personnel to contact in the event of problems;
- g. To receive information concerning expectations for student learning.
- h. To review personally identifiable information in the pupil's records and correct erroneous information, in accordance with the process defined by a vendor who may access, use, store, or manage pupil records under an active software or cloud-based services contract.

Uniform, Williams and Other Complaint Procedures

Nondiscrimination/Harassment/Intimidation/Bullying

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

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination (such as discriminatory harassment, intimidation, and/or bullying).

This prohibition on discrimination (such as discriminatory harassment, intimidation, or bullying) applies to all acts related to a school activity or school attendance.

Grievance Procedures

The following position is designated Coordinator for Nondiscrimination to handle formal, written uniform complaints regarding discrimination (such as discriminatory harassment, intimidation, and/or bullying) and to answer inquiries regarding the District's nondiscrimination policies:

Superintendent: Dr. Jeff Bowman
Orchard School District
921 Fox Lane, San Jose CA 95014
(408) 944-0397

Any student who feels that he/she has been subjected to discrimination (such as discriminatory harassment, intimidation, or bullying) can immediately contact the Coordinator, the principal, or any other staff member to report such activity. In addition, any student who observes any such incident may report the incident to the Coordinator, principal, or any other staff member, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination (such as discriminatory harassment, intimidation, or bullying) shall report the incident to the Coordinator or principal, whether or not the victim files a complaint. In addition, the observing employee shall take immediate steps to intervene when safe to do so.

The identity of a complainant alleging discrimination (such as discriminatory harassment, intimidation, and/or bullying) shall remain confidential, as appropriate.

Upon receiving a formal, written complaint of discrimination, staff members should forward the complaint to the site Principal, who will then forward the complaint to the Coordinator. The Coordinator shall investigate the complaint in accordance with the District's Uniform Complaint Procedures, or shall designate another individual to conduct such an investigation. Following receipt of the District's report, complainant's appeal rights are as specified in the District's Uniform Complaint Procedures.

Orchard School District ANNUAL NOTIFICATION OF THE UNIFORM COMPLAINT PROCEDURES (UCP) 2022-2023

For students, employees, parents/guardians, school, and appropriate private school officials, and other interested parties

Orchard School District 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 (such as discriminatory harassment, intimidation, and bullying) and complaints alleging violation of state or federal laws governing educational programs and the charging of unlawful pupil fees. The Orchard School District shall investigate all allegations of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 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 the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws related to:

Consolidated Categorical Aid Programs
Child Care and Developmental Programs
Child Nutrition Programs
Special Education Programs
Foster Youth
Homeless Youth

A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

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

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

A pupil fee complaint shall not be filed later than one year from the date the alleged violation occurred. Complaints other than complaints relating to pupil fees must be filed in writing with the following Compliance Officer:

Name* and/or Title: Dr. Jeff Bowman/Superintendent
Unit or office: District Office
Address: 921 Fox Lane, San Jose, CA 95131
Telephone: 408-944-0397

The Superintendent may assign secondary compliance officers to investigate and resolve complaints.

*Complaints of noncompliance with laws relating to pupil fees are filed with a principal of a school. A complaint regarding pupil fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to pupil fees.

Complaints alleging discrimination (such as a discriminatory harassment, intimidation, or bullying) must be filed within six (6) months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination 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 LEA person responsible for investigating the complaint shall conduct and complete the investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal the Orchard School District's Decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the Orchard School District's Decision. The appeal must include a copy of the complaint filed with the Orchard School District and a copy of the LEA'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 the Orchard School District'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 the Orchard School District's UCP policy and complaint procedures shall be available free of charge. The UCP procedures, including the rights of foster and homeless youth, are posted at the school site.



ORCHARD SCHOOL DISTRICT

921 Fox Lane San Jose, CA 95131

SCHOOL 408-944-0388 • DISTRICT 408-944-0397 • FAX 408-944-0394 • www.orchardsd.org

Williams and Uniform Complaint Procedures Form

Last Name _____ First Name _____
 Student Name (if applicable) _____ Grade _____ Date of Birth _____
 Address _____ Apt. # _____
 City _____ State _____ Zip Code _____
 Home Phone _____ Cell Phone _____ Work Phone _____

Date of Alleged Violation _____ School/Office of Alleged Violation _____

For allegations in accordance with the Williams Settlement, please check each area upon which the complaint is alleged:

- Textbooks and Instructional Materials
- Facility Conditions
- Teacher Vacancy or Misassignment

For allegations of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- Adult Education
- Career/Technical Education
- Special Education
- Local Control Accountability Plan
- Consolidated Categorical Aid
- Child Care & Development
- Pupil Fees for Educational Activities
- Migrant Education
- Child Nutrition

For complaints of discrimination, harassment, intimidation and/or bullying (employee-to-student, student-to-student, and third party to student), please check the protected classes (actual or perceived), upon which the alleged conduct was based, listed below:

- Actual or Perceived Sex
- Gender Identity
- Ethnic Group Identification
- Nationality
- Color
- Association with a person or group with one or more of the actual or perceived categories listed above
- Sexual Orientation
- Gender Expression
- Race or Ethnicity
- National Origin
- Mental or Physical Disability
- Gender
- Ancestry
- Religion
- Age

For complaints of bullying that are not based on the above listed protected classes, and other complaints not listed on this form, please continue to fill out the back section, and contact the School Principal at (408) 944-0388.

(Continued on back)

1. Please give the facts about your complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you attempted to discuss your complaint with any Orchard School District personnel? If so, with whom and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint. I have attached supporting documents. Yes ___ No ___

Signature _____ Date _____

Mail, E-mail or fax your complaint/documents to:

Orchard School District
921 Fox Lane
San Jose, CA 95131
Fax: (408) 944-0394

For more information, please contact, UCP Coordinator at (408) 944-0388.

Student-Parent Handbook Signature Page

SIGN AND RETURN THIS PAGE TO YOUR CHILD'S TEACHER

We have read, understand, and agree to the Orchard School Student-Parent Handbook, including all described policies (Bus, Technology, Library, etc.).

Student name: _____

Student signature: _____

Parent/Guardian name: _____

Parent/Guardian signature: _____

Date: _____