

These documents contain an outline of your rights as a parent and the district's attendance policy. It is important that you understand its contents. If you would like a copy of this information translated in Spanish, Vietnamese or Chinese, please contact the school office.

Estos documentos contienen información sobre sus derechos como padres y sobre la política de asistencia del distrito. Es importante que usted comprenda su contenido. Si desea una copia de esta información en español por favor acuda a la oficina de la escuela.

Các tài liệu này phác họa các quyền lợi của phụ huynh và chính sách hiện diện của học sinh. Điều quan trọng là quý vị cần hiểu rõ các nội dung này. Nếu quý vị muốn sẵn dịch thông tin này bằng tiếng Việt Nam, tại trường học của con em quý vị.

以上是有關家長權利以及在本校區就讀的各項規定。您必須了解所有內容。如果您需要一份有關這信息的中文翻譯，請與學校辦公室聯繫。

## Please review all information with your child. Sign Form A, Form B, and Form C and return them to the school office.



Dear Parents and Guardians,

August 2023

The staff of the Berryessa Union School District would like to welcome you to the 2023-2024 school year. We look forward to partnering with you to ensure your child's school success.

The Board of Trustees, Superintendent Roxane Fuentes, and all district staff are committed to student achievement and overall wellbeing. Improvement in your children's success starts with daily school attendance, which is a shared responsibility. Daily school attendance must start at home with your own motivation and value of education. We then build on that home value. Education Code 48200 requires compulsory daily school attendance for students six (6) to 18 years of age. Ensuring regular school attendance of all children in our community is one of our district's main responsibilities. We are especially committed to making sure all students are present every day school is in session. We are also committed to ensuring that students arrive on time, attend each instructional period, and complete the school day. Please note the following:

**California Education Code (EC§848205) allows excused absences for the following reasons:** *Students, with written parental permission, may be excused from school for justifiable personal reasons. (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is: (1) Due to his or her 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 his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California. (5) For the purpose of jury duty in the manner provided for by law. (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent. (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, 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. (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code. (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 any class from which a pupil is absent shall determine 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. (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester. (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments. (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."*

The parent/guardian of the student must email a note and/or phone the school to clear any of these unexcused absences. Failure to excuse the absence results in a recorded unexcused absence (truancy) on the student's record.

Options are available for students in limited cases who may need to be out for an extended period for medical purposes. Students who are absent for more than ten (10) consecutive days for medical reasons are eligible for home/hospital services. Please contact your school for assistance in these situations.

Students will be marked as **truant** after the third (3<sup>rd</sup>) unexcused absence and/or tardies of more than 30 minutes. Schools will be sending formal letters to the parents/guardians of students who accumulate three (3) days/periods of unexcused absences or tardies,

### BOARD OF TRUSTEES

Thelma Boac

Hugo Jimenez

Khoa Nguyen

Jai Srinivasan

Jaria Jaug

or combination thereof. This letter will inform the family of a potential declaration of truant on their child's school record according to Education Code 48260. Schools may request your attendance at a conference to discuss your child's attendance. Also, be aware that excessive excused absences will also result in a need to conference with you and your child and/or family's situation.

Berryessa School District, together with the San Jose City Council and the Santa Clara County Board of Supervisors, have launched a countywide Truancy Abatement Initiative to decrease truancy in Santa Clara County. The State of California also recognizes the importance of regular school attendance and passed legislation restricting school attendance funding calculations to those students actually in attendance. Schools no longer receive the state revenue for excused absences. In Berryessa, this results in a potential loss of revenue each year which impacts the programs and services we can provide.

Berryessa School District's goal for 2023-2024 is to continue to improve our district's excellent student attendance record. We appreciate your assistance in this goal since every day of attendance can count towards your child's continued academic success.

Roxane Fuentes  
Superintendent of Schools

**BOARD OF TRUSTEES**

Thelma Boac







Hugo Jimenez

Khoa Nguyen

Jai Srinivasan

Jaria Jaug

**Berryessa Union School District**  
**2023-2024**  
**SCHOOL YEAR CALENDAR**  
 180 Student Days

Legend	
	First Day of School
	Last Day of School
	Pupil Holidays
	New Teachers Report
	All Teachers Report
	Prof. Dev. Day
( )	# of Student Days

July (0)				
M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

4- July 4th

November (15)				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

1st - Prof. Dev. / No Stds

10th - Veterans Day

20th-24th Thanksgiving Brk

March (20)				
M	T	W	T	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

29th - Good Friday

August (16)				
M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

3rd - New Teachers Rprt

4th - Welcome Back & All Teachers Report

7th - Prof. Dev. Day

10th - 1st Day of School

December (15)				
M	T	W	T	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

22nd - 29th Winter Break

April (17)				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30			

1st - 5th Spring Break

September (20)				
M	T	W	T	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

4th - Labor Day

January (17)				
M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		

1st - 5th Winter Break

15th - Dr. King Day

May (22)				
M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

27th - Memorial Day

October (17)				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

2nd - 6th Fall Break

February (16)				
M	T	W	T	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	

19th -23rd President's Week

June (5)				
M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

7th - Last Day of School

19th- Juneteenth



# BERRYESSA UNION SCHOOL DISTRICT

## NOTICE TO PARENTS REGARDING FEDERAL LAWS AND EDUCATION CODE EXCERPTS RELATING TO RIGHTS OF PARENTS OR GUARDIANS OF MINOR PUPILS

Pathway to the Future

**IMPORTANT** Read, sign, date and return form B of this document. School personnel must know if you have received this information. - EC §48980 - 1, 2

1. **Asbestos (40 CFR 763.93)** – The district has a plan for eliminating health risks that are created by the presence of asbestos in school buildings. It may be reviewed at the district office.
2. **Absences (EC §46010)** - Absences from school shall be excused only when the absence is due to illness of the student, quarantine, medical appointments, funeral attendance for a member of the immediate family, or exclusion from school because the student does not have required immunizations.
3. **Absences (EC §48205)** - Students, with written parental permission, may be excused from school for justifiable personal reasons. (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is: (1) Due to his or her 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 his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California. (5) For the purpose of jury duty in the manner provided for by law. (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent. (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, 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. (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code. (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 any class from which a pupil is absent shall determine 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. (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester. (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments. (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."
4. **Absences (EC §48205) - Justifiable Reasons Board Policy 5113** - Physician Verification Board policy determines that when a student has absences in excess of 10 percent (10%) of total number of days enrolled for the current year due to illness and verified by methods listed in "method verification steps", any further absences for illness must be verified by a physician, school nurse, or other school personnel. Failure to provide verification by physician will result in absences being recorded as unexcused.
5. **Administration of Medication (EC §49423)** – Any pupil who is required to take, during the regular school day, medication prescribed for him or her by a physician and surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer prescription auto-injectable epinephrine if the school district receives the appropriate written statements from the student's physician.
6. **Administration of Over-the-Counter (OTC) Medications in School (49423; CCR, Title 5, sections 600 and 601(b))**  
All over-the-counter (OTC) medications administered in school under CCR Title 5 Article 4.1 shall have a written statement from the authorized health care provider and the parent or guardian.
7. **Alternative Attendance Options (EC 4890(h))** – Parents may submit an "Intra District Transfer Request Form" to request that their child attend another school within Berryessa Union School District that is not their resident home school. Parents may submit a "Request For Interdistrict Attendance Permit" to have their child attend a school district other than Berryessa Union School District. These forms are available at each school site and at the District Office.
8. **Alternative Attendance: Inter-District Transfers (EC§46601.5 – EC §46611)** – Allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. There are no statutory limitations on the kinds of terms and conditions districts are allowed to place on transfers.
9. **Appeal to County Board of Education (EC 46601)** – Whenever the District denies a transfer request, whether into or out of the District, Education Services Division will notify the parent or guardian filing the request of the right to appeal the District's decision to the County Board of Education under Education Code Section 46601. Education Services Division shall provide the parent or guardian with the information specified in that section of the Education Code.
10. **Attendance of Suspended Pupil's Parent (EC §48900.1)** – If a teacher suspends a student, the teacher may require the child's parent to attend a portion of the school day in his or her child's classes. Employers may not discriminate against parents who are required to comply with this requirement.
11. **Attendance: Student Attendance Review Board (S.A.R.B.) (EC §48320; Board Policy 5110.1)** - Berryessa Union School District has established a District School Attendance Review Board. It is the purpose of this board to review cases referred by principals for students who are chronically truant or whose behavior is beyond control of the school. Students whose attendance problems cannot be resolved or students and parents/guardians who fail to respond to SARB directives to correct the problems may be referred to the District Attorney's office for prosecution.
12. **California School Information Services Participation Privacy and Confidentiality Procedures for State Reporting and Student Records Transfer** – Berryessa Union School District is participating with the California School Information Services (CSIS/FCMAT) Program in the electronic transfer of student data for state reporting to the California Department of Education and to districts an/or public post secondary institutions to which the student is transferring or applying for admission. All data maintained by the CSIS/FCMAT Program is in compliance with federal and state privacy and confidentiality requirements.  
  
The benefits of participation to the student and parent are that student records can be transferred promptly, and that information about student assessment and academic placement will be available at the time of transfer. Schools and districts will benefit from the streamlining and reduction of required state reporting. Parents have the right to inspect student information maintained by the CSIS Program. Send written request to Education Services Department.
13. **Child Abuse Reporting Law (Penal Code Section 11166)** - All employees are to report suspected child abuse to the proper authorities. Employees are to be trained annually.
14. **Children in Homeless Situations (McKinney Vento)** – Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations.
15. **Comprehensive School Safety Plan (EC§32280)** – Each school is required to report on the status of its school safety plan, including a description of its key elements, in the annual School Accountability Report Card (SARC). The planning committee is required to hold a public meeting to allow members of the public the opportunity to express an opinion about the school plan. The planning committee shall notify specified persons and entities in writing.
16. **Confidential Medical Services (EC §46010.1)** - By law students, 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. Otherwise, it is the practice of the Berryessa Union School District not to release students without

parental consent.

17. **Discipline: Pupil (EC §35291; Board Policy 5144)** - Parents and guardians will be notified in writing of their school's discipline rules and regulations at the beginning of each school year and the right to transfer students at the time of enrollment.
18. **Discipline: Pupil (EC §48900(g) and (r) Grounds for Suspension)** - A pupil may not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to one or more of subdivisions (g) a pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of this section (r) a superintendent or principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.
19. **Discipline: Pupil – Expulsion (EC §48915 (c)(d))(Board Policy 5131)** - The Board must expel a student for the following violations: 1) possession, selling or furnishing a firearm; 2) brandishing a knife; 3) selling a controlled substance; 4) committing or attempting to commit a sexual assault or committing a sexual battery. This action removes a child from all Berryessa Union School District schools for a period of up to one year. The Board may also expel for weapons, explosives (including firecrackers), damage to property, theft, drug possession, drug paraphernalia, obscenity, vulgarity, and receipt of stolen property and sexual harassment. (Board Policy 5131)
20. **Duty Concerning Conduct of Pupils (EC §44807)** – Every teacher shall hold pupils accountable for their conduct on the way to and from school, and on the playground.
21. **Duties of Pupils (5 CCR §300)** – Pupils must conform to school regulations, obey all directions, be diligent in study, be respectful of teachers and others in authority and refrain from profane and vulgar language.
22. **Dress Code/Gang Apparel (EC §35183)** – The district is authorized to adopt a reasonable dress code.
23. **Expulsion: Mandatory Recommendation (Board Policy 5131)** - It is the intent of the Board of Trustees to ensure a safe learning environment for all students. Injurious objects and weapons (including but not limited to firearms, knives of any size, blackjacks, metal knuckles, and replicas) are prohibited at school, to and from school, or at any school sponsored event.
24. **Hazing Prohibition (EC §32051)** – Pupils and other persons in attendance are prohibited from conspiring to engage in hazing.
25. **Health Checkup (Health and Safety Code 124090) (EC 49451)** - The District requires a health checkup before entrance into first grade. California Law requires that all children have a health checkup within 18 months before entering the first grade. The district *prefers* that all Kindergarten students have a health exam prior to their registration date each spring. Parental waivers are available under certain conditions.
26. **Health and Safety Code 120325 (EC 48216)** - Students will be prohibited from attendance until required immunizations are completed (BP5141.3).
27. **Hearing: Evaluation of (EC §49450, 49451 and 45452)** - Each student shall be given a screening test in kindergarten or first grade, and in second, fifth, and eighth grades. Students may be excluded from the screening test by a written request from parent or guardian.
28. **HIV/AIDS Education (EC 51938 & 48908(a))** – A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV/AIDS prevention education. HIV/AIDS prevention education are available for inspection. Parent or guardian may request in writing that his or her child not receive comprehensive sexual health education or HIV/AIDS prevention education.
29. **Immunization for Communicable Diseases (EC §49403) (Health and Safety Code 120325)** - Diphtheria, Tetanus, Pertussis (DPT), Poliomyelitis; Rubeola (measles), Mumps, Rubella (MMR); Hepatitis B, Varicella (Chicken Pox (only if not exposed)) and a T.B. (Mantoux) skin test or TB Risk Assessment for Santa Clara County, are mandatory for all students entering kindergarten, 7<sup>th</sup> grade, or school for the first time (BP5151.3). Tdap, Hepatitis B and Rubella booster also is required for all students entering 7th grade. Measles assessments are conducted for all students on a continuing basis.
30. **Megan's Law Notification (Penal Code §290.4)** – Parents and members of the public have the ability to review information regarding registered sex offenders at the main office of the local law enforcement agency for this school district.
31. **Medical and Hospital Services (EC §49472-74)** - Medical and hospital services for students injured at school or school-sponsored events, or while being transported, may be insured at district or parent expense. Berryessa Union School District does not provide insurance coverage under this code.
32. **Minimum Day/Student Free Day Notification (EC §48980(c))**– Parents/Guardians will be advised regarding minimum day and student free day schedules for staff development as early as possible but no later than one month before scheduled minimum or student free day(s).
33. **Nondiscrimination (Board Policy 5145.3, 5145.5, Federal Law (Title IX) P.L. 92-318 and EC §40)** - To Prohibit Discrimination - It is the policy of the Berryessa Union School District not to discriminate on the basis of age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, mental or physical disability, nationality, national origin, race or ethnicity, religion, sex, sexual orientation, or on a person's association with a person or group with one or more of these actual or perceived characteristics. This requirement not to discriminate extends to employment practices by the district as well. Parents are urged to address complaints regarding violations of the law to the Education Services Department (923-1830).
34. **Notice to School for Continuing Medication (EC §49480)** - Parents are to inform the school district nurse or other certificated school employees of medication given to a student on a continuing basis for a non-episodic condition. The type of medication, current dosage, and the name of the supervising physician is to be given to the certificated person.
35. **Non-Mandatory Programs for Parental/Pupil Participation (EC §49091.18)** – Schools may not require a student or student's family to submit to or participate in any assessment, analysis, evaluation, or monitoring of the quality or character of student home life, parental screening or testing, nonacademic home-based counseling program, parent training, or prescribed family educational service plan.
36. **Oral Health Assessment (EC 49452.8 (a))** A pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, no later than May 31 of the school year, shall present proof of having received an oral **health** assessment by a licensed dentist, or other licensed or registered dental health professional operating within his or her scope of practice, that was performed no earlier than 12 months prior to the date of the initial enrollment of the pupil.
37. **Parent/Guardian Liability (EC §48904)** - Parents or guardians are liable for any willful conduct of their minor children which results in injury to another student or to school district personnel, or for any willful cutting or defacing of any school property belonging to a school district or to a school district employee, or for any property belonging to the school district and loaned to the minor student and willfully not returned. Such liability shall not exceed \$7,500. Following due process procedures, the school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or until completion of a voluntary work program in lieu of payment of monetary damages.
38. **Parent Involvement (Board Policy 6020)** - To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the district shall: 1. Involve parents/guardians and family members in the joint development of a district plan that meets the requirements of 20 USC [6312](#) and in the development of school support and improvement plans pursuant to 20 USC [6311](#). 2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders,



and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education (20 USC 6318). 3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws (20 USC 6318).

- 39. Parent Involvement – School Level Policies for Title I Schools: (Board Policy 6020)** - At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians and family members of participating students. Such policy shall describe the means by which the school will: (20 USC 6318). 1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved. 2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement. 3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314. The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students. 4. Provide the parents/guardians of participating students all of the following: a. Timely information about Title I programs. b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the challenging state academic standards. c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practically possible, responses to the suggestions of parents/guardians. 5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district. 6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards.
- 40. Parent Involvement - District Strategies for Non-Title I Schools: (Board Policy 6020)** - For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum: 1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504). 2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504). 3. Build consistent and effective communication between the home and school so that parents/guardians may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504). 4. Train teachers and administrators to communicate effectively with parents/guardians (Education Code 11502, 11504). 5. Integrate parent/guardian and family engagement programs into school plans for academic accountability.
- 41. Parent Employment in Lieu of Residency (also known as "Allen Bill Transfers") (EC §48204(f))** - An elementary school student may be deemed a resident of a district in which one or both of the student's parents are employed. Parents may request a specific school; however, school designation will be determined by space availability.
- 42. Persistently Dangerous Schools or Victim of Violent criminal offense CCR 11992** - If while on school grounds a student becomes a victim of a violent criminal offense, as defined by the State Board of Education, or attends a school designated by the California Department of Education as persistently dangerous, he/she shall be provided an option to transfer to another district school or charter school. (20 USC 7912; 5 CCR 11992) **Board Policy 5118**
- 43. Pesticide Spraying Requirement (EC §48980.3)** - Requires district maintenance and operations division to include information regarding pesticide products applied at school facilities as specified in EC §176121(a). Mandates a 72 hour timeline for notification for specific types of pesticides used in spraying.
- 44. Physical Examination Exemption (EC §49451)** - A child may be exempt from physical examination whenever the parent files a statement refusing the examination of the student with the principal of the school in which the student is enrolled. However, whenever there is good reason to believe the child is suffering from a recognized contagious or infectious disease, he/she shall be sent home and shall not be permitted to return until the contagious or infectious disease does not exist in him/her.
- 45. Records: Pupil (FERPA) (Federal Law 34 CFR Part 99 and EC §48980-85 and 49063)** - Parents or guardians have the right to (a) be informed of all student records maintained by the district and the person responsible for the maintenance of student records, (b) access to student records, (c) challenge the content of student records, and (d) full information from a responsible official of all procedures for collecting and maintaining record information for students. Parents desiring to review student records should submit a written request to the Assistant Superintendent of Education Services that identifies the record(s) they wish to inspect. The Assistant Superintendent will make arrangements for access and notify the parent of the time and place where the records may be inspected. Parents or eligible students may ask Berryessa Union School District to amend a record they believe is inaccurate or misleading. Parents should submit a written request to the Assistant Superintendent of Education Services, clearly identifying the part of the record they wish to change, and specifying why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent, the District will notify the parent of the decision and advice of their right to a hearing regarding the request for amendment. Additional information regarding hearing procedures will be provided to the parent when notified of the right to a hearing. Board Policy 5126 states Official Pupil Records "may be used only for the benefit, promotion, or welfare of the student" and are accessible to the parent or legal guardian of the student. Certain groups are permitted directory information without prior consent. Directory information may include the student's name, birthdate, birthplace, address and previous school attendance. Upon written request from the parent or legal guardian of a student, the district will withhold directory information.
- 46. Release of Student Records/Compliance with Subpoena or Court Order (EC §49076 and 49077)** - Districts are required to make a reasonable effort to notify parents in advance of disclosing student information pursuant to a subpoena or court order.
- 47. Residency Requirements for School Attendance (EC 4890(h))** - Proof of residency within the district is required at the time of registration. If you own or rent your home one of the following items must be presented as proof of residence: Deed of Trust, Grant Deed, property tax bill, mortgage statement, escrow letter, tax assessment card, current lease or rental agreement. **In addition** one of the following documents in the parent guardian's name must also be presented to complete the residency requirement: Current P.G. & E bill, utility service contract (or statement/payment receipt), pay stub, W-2 form, voter registration, or correspondence from a government agency.
- 48. Right to Refrain from Harmful use of Animals (EC §32255-32255.6)** - Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals.
- 49. Release of Student Directory Information Board Policy 5125.1 (EC49073, 20 USC 1232g,7908)** - Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent. Directory information is defined as follows: *Name, address, telephone number, email address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic teams, dates of attendance, degrees and awards received and most recent previous school of attendance.* **\*\*You may decide at any time to withhold directory information, forms are available at school sites, the district office and on our website at: [www.berryessa.k12.ca.us/OUR-DISTRICT/Education-Services/Release-of-Directory-Information/index.html](http://www.berryessa.k12.ca.us/OUR-DISTRICT/Education-Services/Release-of-Directory-Information/index.html)**
- 50. Sex Education (EC §51240, 51550 and 51820)** - Whenever instruction in health, family life education, or sex education conflicts with the religious training and beliefs of the parents, they may request, in writing, that the student be excused from that part of such instruction. In addition, before sex education may be taught to a student in school, the parents must be informed and given the opportunity to request, in writing, that their child not attend that portion of class. Such requests shall be valid for the school year in which they are submitted but may be withdrawn at any time. Parents have the right to inspect/review, in advance, any pertinent written or audio-visual material to be used in such a course. This section does not apply to words or pictures in any science, hygiene or health textbook (EC §51550).

51. **Sexual Harassment (Board Policy 4013/5133; EC §48900.2, 212.3, 212.6 EC 48980(g))** - Sexual harassment of any kind is strictly prohibited by policy of the Berryessa Union School District. Behavior toward any student, employee, or campus visitor which constitutes unwelcome sexual advances, including but not limited, to request for sexual favors, verbal or physical conduct, the display of derogatory posters, cartoons, photos, or drawings, and other verbal or physical conduct of a sexual nature will be considered to be sexual harassment when either a complaint is filed by a student, employee, campus visitor or their representative or such conduct has the purpose or effect of interfering with the individual's performance or purpose. Incidents of sexual harassment are to be immediately reported to a teacher, school or District Office administrator. Each incident of sexual harassment will be investigated and appropriate action taken as necessary. A pupil in grades 4-8 may be suspended from school or recommended for expulsion if the Superintendent or Principal of a school in which a student is enrolled determines that the student has committed sexual harassment.
52. **Special Education Programs or Services (EC §56030)** - Programs/services are provided for students with special needs due to a handicapping condition. Parents may refer their child for evaluation to determine special needs either to the child's teacher, principal, or the district Education Services Department. Additional information is available upon request from either the school or district office.
53. **Student Technology Acceptable Use Agreement and Release of District from liability Board Policy 6163.4, E6163.4(c)**

Parents or guardians have the right to terminate their student's access to electronic tools and resources by speaking with their child's principal. If you do not want your student to use district technology resources, please be aware that your decision to eliminate access to these tools may significantly affect your student's ability to work collaboratively with his or her peers on class assignments and projects, and may hamper the development of skills necessary to live and work in this increasingly digital world.
54. **Students with Disabilities - Section 504 of the Rehabilitation Act of 1973 (Board Policy 6420)** - A student who has a physical or mental impairment that substantially limits one or more major life activities is eligible for modifications of the learning environment. Additional information is available at your school office or the Education Services Department.
55. **Student Use of Technology (EC 48980 (h), 51870.5 & Board Policy 6168)** - The Board intends that the Internet and other on-line resources provided by the district be used to support the instructional program and enhance student learning.
56. **School Accountability Report Card (EC §35256)** - Districts are to make a concerted effort to notify parents of the purpose of school accountability report cards, and ensure that all parents receive a copy. Please see district and school websites.
57. **Sun Protective Clothing (EC §3183.5)** - Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including, but not limited to, hats. Each school site may set policy related to the type of clothing, including but not limited to: subdivision (a) Specific clothing and hats determined by the school district or school site to be gang-related or inappropriate apparel may be prohibited by the dress code policy. (See specific elementary/ middle school handbook dress code-'Sun Protective Clothing—With a doctor's recommendation, students may wear articles of sun protective clothing while outdoors, including hats, for protection against sunlight. To provide a minimum amount of protection, any hat must have at least a 3-inch wide brim around the circumference of the head. Any article of sun protective clothing must still be compliant with the school dress code.'
58. **Tests on Personal Beliefs (EC §60650)** - Tests, questionnaires, or examinations containing questions about the student's personal beliefs or practices in sex, family life, morality, and religion may not be given to students unless the parents or guardian is notified in writing and gives written permission.
59. **Temporary Disability (EC §48206.3, 48207 and 48208)** - During the regular school year, individual instruction for one hour per day will be provided to a student temporarily in a hospital or at home, who has a documented physical or emotional disability and requires such services.
60. **Tobacco-Free Schools; Board policy 3513.3** - The use of tobacco products is prohibited at any time in district owned, or leased buildings, or on district property. Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within the boundaries of any playground (Health and Safety Code 104495)
61. **Uniform Complaint Policy (Board Policy 1312.3; (Available at each school or the District Office)** - The district follows uniform complaint procedures pursuant to state regulations when addressing complaints alleging unlawful discrimination or failure to comply with the law. Programs and activities subject to the Uniform Complaint Policy: Adult Education, After School Education and Safety, Agricultural Career Technical Education, American Indian Education Centers and Early Childhood Education Program Assessments, Bilingual Education, California Peer Assistance and Review Programs for Teachers, Career Technical and Technical Education; Career Technical; Technical Training(State), Career Technical Education (Federal), Child Care and Development, Child Nutrition, Compensatory Education, Consolidated Categorical Aid, Course Periods without Educational Content, Economic Impact Aid, Education Of Pupils In Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled In A School District, and Pupils Of Military Families, Every Student Succeeds Act / No Child Left Behind (Titles I-VII), Local Control and Accountability Plans (LCAP), Migrant Education, Physical Education Instructional Minutes, Pupil Fees, Reasonable Accommodations to a Lactating Pupil, Regional Occupational Centers and Programs, School Safety Plans, Special Education, State Preschool, Tobacco-Use Prevention Education. A copy of this policy will be provided/distributed annually.
62. **Vision Evaluation (EC §49455)** - Vision screening will include kindergarten and/or first, fourth and seventh grade students. All first grade boys will be screened for color perception. The evaluation may be waived upon presentation of an appropriate certificate from a physician or optometrist.
63. **Williams Act Parent Complaint Rights (EC 35186)** - 1. There should be sufficient textbooks and instructional materials. That means each pupil, including English learners, must have a textbook or instructional materials, or both, to use in the class and to take home to complete required homework assignments. 2. School facilities must be clean, safe, and maintained in good repair. 3. There should be no teacher vacancies or misassignment. 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.

A complaint form may be obtained at the school office, district office or downloaded from the district's website at ([www.berryessa.k12.ca.us](http://www.berryessa.k12.ca.us)). You may also download a copy of the California Department of Education complaint form from the following website: <http://www.cde.ca.gov/eo/ce/wc/index.asp>.

# Berryessa Union School District

## Uniform Complaint Procedures (UCP) Annual Notice 2023-2024

Revised May 2022

The *[Enter name of your local educational agency (LEA)]* annually notifies our students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of our Uniform Complaint Procedures (UCP) process.

The UCP Annual Notice is available on our website.

We are primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

### **Programs and Activities Subject to the UCP**

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, 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 an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)



## UCP Annual Notice 2023-2024

- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School Safety Plans
- Schoolsite Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing

And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) of the California Department of Education (CDE) or designee deems appropriate.

### **Filing a UCP Complaint**

A UCP complaint shall be filed no later than one year from the date the alleged violation occurred.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by our agency.

A pupil enrolled in any of our public schools shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee complaint may be filed with the principal of a school or our superintendent or their designee.

A pupil fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

### **Responsibilities of the Berryessa Union School District**

We shall post a standardized notice, in addition to this notice, with educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district.

We advise complainants of the opportunity to appeal an Investigation Report of complaints regarding programs within the scope of the UCP to the Department of Education (CDE).

We advise complainants of civil law remedies, including injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of our UCP procedures shall be available free of charge.

**For UCP Complaints Regarding State Preschool Health and Safety Issues  
Pursuant to Section 1596.7925 of the California *Health and Safety Code* (HSC)**

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the California *Health and Safety Code* (HSC) a notice shall be posted in each California state preschool program classroom in each school in our agency.

The notice is in addition to this UCP annual notice and addresses parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California *Code of Regulations* (5 CCR) that apply to California state preschool programs pursuant to HSC Section 1596.7925, and (2) the location at which to obtain a form to file a complaint.

**Contact Information**

Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints:

Assistant Superintendent of Human Resources

Human Resources Department

981 Ridder Park Dr.

San Jose, CA 95131

408-923-1853

The above contact is knowledgeable about the laws and programs that they are assigned to investigate in Berryessa Union School District.



*Pathway to the Future*

## **Healthy Schools Act (AB 2260) Policy Statement and Annual Parent Notification Letter**

In compliance with California State law, Berryessa Union School District will adhere to the **Healthy Schools Act (AB 2260: Ed. Code 17612m 48980 and 48980.3)** practice and procedures to minimize pesticide/herbicides exposure to children, staff, and community will be emplaced in all district schools.

### **Pests**

It is the practice of this school district to control pests in the school environment. Pests such as cockroaches, fleas, fire ants, stinging wasps, termites and rodents are annoying and can disrupt the learning environment in schools. Pests are known to bite, sting, or transmit diseases and may also cause allergic responses.

### **Pesticides/Herbicides**

It is the practice of this school district to reduce exposure to pesticides and herbicides in the school environment. When pesticides or herbicides are used to control pests and weeds in schools, there is potential for human exposure. Excessive exposure may result in pesticide/herbicides poisoning or allergic responses in sensitive individuals. Children may be more susceptible to pesticides than adults due to their smaller size and rapid growth and development.

### **AB 2260, the Healthy Schools Act of 2000**

- Non-chemical prevention of pest and weed populations is always preferred using such methods as sanitation, exclusion, and cultural practices.
- The selection and use of the least hazardous methods and materials effective for the control of targeted pests and weeds will be implemented.
- Application of pesticides will only be used “as needed” to correct verified problems.
- All parents and staff will be notified annually in writing of the anticipated pesticide/herbicide products and applications to be regularly used throughout the school year.
- A notice will be sent home with your child at least 72 hours prior to a pesticide application.
- Warning signs will be posted at all entrances to the School property twenty-four hours prior to regular pesticide/herbicide applications and will remain posted for seventy-two hours after the application.
- Active ingredients of all pesticides used by the School District and/or copies of AB 2260 may be obtained by written request to the Director of Maintenance, Operations and Transportation, Dan Norris at the Berryessa Union School District, 1376 Piedmont Road, San Jose, CA 95132 or by contacting the California Department of Pesticide Regulation website, [www.cdpr.ca.gov](http://www.cdpr.ca.gov).
- In the event of an “emergency application of a pesticide to control a specific and documented problem, signs will be posted immediately and remain posted for seventy-two hours following the application procedure.

### **Success**

The success of the **Healthy Schools Act (AB 2260)** in schools is dependent upon:

- The full cooperation of administrators, faculty, maintenance/custodial staff, parents, students and the community.
- The establishment of a District-wide coordinator and advisory committee.
- School-based safety committees that shall include pest management and pesticide policies and procedures as part of their agenda.
- Each school designating a staff member to coordinate the Healthy Schools Act and ensuring the maintenance of pest management records.

The Berryessa Union School District invites questions, concerns and suggestions from our parents, community, students and staff. All comments addressing the above noted practice should be addressed to the Director of Maintenance, Operations and Transportation, Dan Norris ([dnorris@busd.net](mailto:dnorris@busd.net)) at (408) 923-1898, Berryessa Union School District, 945 Piedmont Rd. San Jose, CA 95132.

### **BOARD OF TRUSTEES**

Thelma Boac

Hugo Jiménez

Khoa Nguyen

Jai Srinivasan

Jaria Jaug

## Healthy Schools Act (AB 2260)

Notice to all students, parents/guardians and employees of the **Berryessa Union School District**:

**Assembly Bill 2260** went into effect on January 1, 2001. This legislation enacted **Education Code Sections 17608 et seq.** which require, among other things, that school districts notify parents and staff about the use of pesticides at school. The purpose of this legislation is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, please be advised of the following:

The Berryessa Union School District expects to use of the following pesticides at its campuses during the 2022-2023 school year:

### **Berryessa Union School District Healthy Schools Act: List of Pesticides**

<b>NAME OF PESTICIDE</b>	<b>ACTIVE INGREDIENT(S)</b>
Cheetah Pro (Herbicide)	Glufosinate-Ammonium
Turflon Ester Ultra (Herbicide)	Triclopyr
Pendulum (Herbicide)	Pendimethalin
Dimension 2EW (Herbicide)	Dithiopyr
Maxforce G (Insect Bait)	Hydramethylnon
PT Wasp-Freeze II (Insecticide)	Prallethrin
Avert DF (Dry Flowable Cockroach Bait)	Abamectin B1 and Related Compounds
Drione Dust (Insecticide)	Pyrethrins, Piperonyl Butoxide, Amorphous Silica Gel
Advance 375A (Granular Ant Bait)	Abamectin B1
CONTRAC All-Weather Blox (Rodenticide)	Bromadiolone
Suspend SC (Insecticide)	Deltamethrin
Onslaught (Insecticide)	Benzeneacetate
Advion Ant Gel (Insecticide)	Indoxacarb

Parents/guardians of the Berryessa Union School District can register with the Director of Maintenance, Operations and Transportation, Dan Norris ([dnorris@busd.net](mailto:dnorris@busd.net)) to receive notifications of individual pesticide applications by calling (408) 923-1892. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation's Web site at <http://www.cdpr.ca.gov>.

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## **PARENT/GUARDIAN NOTICE RELEASE OF DIRECTORY INFORMATION**

### **Per Board Policy 5125.1 and Administrative Regulation 5125.1**

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Berryessa Union School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school and/or district publications. Examples include:

- \* a playbill, showing your child's role in a drama production
- \* the annual yearbook
- \* honor roll or other recognition lists
- \* graduation programs
- \* sports activity sheets, such as for wrestling, showing weight and height of team members

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that provide promotion gowns or publish yearbooks. In addition, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with students' names, addresses, and telephone listings, unless parents/guardians have advised the district that they do not want their child's information disclosed without their prior written consent.

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

#### **The district has designated the following information as directory information:**

1. Name
2. Address
3. Telephone number
4. Email address
5. Date of birth
6. Major field of study
7. Participation in officially recognized activities and sports



8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

The district also may disclose your child's student identification number, user identification, or other unique personal identifier used to communicate in electronic systems, provided it cannot be used to access education records without a personal identification number (PIN), password, or other factor that only the authorized user knows. Your child's social security number will not be used for this purpose.

Directory information may include a student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized school activities and sports, weight and height of athletic team members, dates of school attendance, degrees and awards received, and most recent previous school attended (BP 5125.1)

***You may opt-out of the release of directory information about your child by informing the principal in writing at any time during the school year. However, many requests for information are received near the beginning of the school year, so we urge you to complete and return the form below by October 1st. Should you decide to opt-out later in the year, you may request a form from the school or district and have information withheld from that point forward.***



## Annual Parent Notification

Every year, California students take several statewide tests. When combined with other measures such as grades, class work, and teacher observations, these tests give families and teachers a more complete picture of their child's learning. You can use the results to identify where your child is doing well and where they might need more support.

Your child may be taking one or more of the following California Assessment of Student Performance and Progress (CAASPP), English Language Proficiency Assessments for California (ELPAC), and Physical Fitness Test assessments. Pursuant to California Education Code Section 60615, parents/guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments. This exemption does not exist for the ELPAC or Physical Fitness Test.

### ***CAASPP: Smarter Balanced Assessments for English Language Arts/Literacy (ELA) and Math***

***Who takes these tests?*** Students in grades 3–8 and grade 11.

***What is the test format?*** The Smarter Balanced assessments are computer-based.

***Which standards are tested?*** The California Common Core State Standards.

### ***CAASPP: California Alternate Assessments (CAAs) for ELA and Math***

***Who takes these tests?*** Students in grades 3–8 and grade 11 whose individualized education program (IEP) identifies the use of alternate assessments.

***What is the test format?*** The CAAs for ELA and math are computer-based tests that are administered one-on-one by a test examiner who is familiar with the student.

***Which standards are tested?*** The California Common Core State Standards through the Core Content Connectors.

### ***CAASPP: California Science Test (CAST)***

***Who takes the test?*** Students take the CAST in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.

***What is the test format?*** The CAST is computer-based.

***Which standards are tested?*** The California Next Generation Science Standards (CA NGSS).

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## **CAASPP: California Alternate Assessment (CAA) for Science**

**Who takes the test?** Students whose IEP identifies the use of an alternate assessment take the CAA for Science in grades 5 and 8 and once in high school, either in grade 10, 11, or 12.

**What is the test format?** The CAA for Science is a series of four performance tasks that can be administered throughout the year as the content is taught.

**Which standards are tested?** Alternate achievement standards derived from the CA NGSS.

## **ELPAC**

**Who takes the test?** Students who have a home language survey that lists a language other than English will take the Initial test, which identifies students as an English learner student or as initially fluent in English. Students who are classified as English learner students will take the Summative ELPAC every year until they are reclassified as proficient in English.

**What is the test format?** Both the Initial and Summative ELPAC are computer-based.

**Which standards are tested?** The 2012 California English Language Development Standards.

## **Alternate ELPAC**

**Who takes the test?** Students whose IEP identifies the use of an alternate assessment and who have a home language survey that lists a language other than English will take the Alternate Initial ELPAC, which identifies students as an English learner student or as initially fluent in English. Students who are classified as English learner students will take the Alternate Summative ELPAC every year until they are reclassified as proficient in English.

**What is the test format?** Both the Alternate Initial and Alternate Summative ELPAC are computer-based.

**Which standards are tested?** Alternate achievement standards derived from the 2012 California English Language Development Standards.

## **Physical Fitness Test**

**Who takes the test?** Students in grades 5, 7, and 9 will take the FITNESSGRAM®, which is the test used in California.

**What is the test format?** The test consists of five performance components: aerobic capacity, abdominal strength, trunk strength, upper body strength, and flexibility.

**Which standards are tested?** The Healthy Fitness Zones, which are established through the Fitnessgram®.

*California state law, the California Healthy Youth Act, requires that comprehensive sexual health education and HIV prevention education be provided to students at least once in middle school or junior high school, starting in grade 7.*

*Instruction must encourage students to communicate with parents, guardians or other trusted adults about human sexuality. Instruction must be medically accurate, age-appropriate and inclusive of all students. It must include the following:*

- Information about HIV and other sexually transmitted infections (STIs), including transmission, FDA approved methods to prevent HIV and STIs, and treatment
- Information that abstinence is the only certain way to prevent unintended pregnancy, HIV and other STIs, and information about the value of delaying sexual activity
- Discussion about social views of HIV and AIDS
- Information about accessing resources for sexual and reproductive health care
- Information about pregnancy, including FDA approved prevention methods, pregnancy outcomes, prenatal care, and the newborn safe surrender law
- Information about sexual orientation and gender, including the harm of negative gender stereotypes
- Information about healthy relationships and avoiding unhealthy behaviors and situations

*Parents can examine the instructional materials at the Berryessa Union School District office. You may request a copy of the California Healthy Youth Act (California Education Code Sections 51930-51939) by contacting Education Services at the district office.*

*This instruction will be provided by your child's seventh grade teacher. If you have questions, please see the teacher or principal.*

*State law allows you to opt your student out from this instruction. If you do not want your student to participate in comprehensive sexual health or HIV prevention education, please provide a written request to the school's principal.*

## What Does CHDP Offer?

The CHDP program helps to prevent or find health problems through regular, no cost, health check-ups. A check-up includes:

- Health and developmental history
- Physical exam
- Needed shots
- Oral health screening and routine referral to a dentist starting by age 1
- Nutrition screening
- Behavioral screening
- Vision screening
- Hearing screening
- Health information
- Lab tests, which may include: anemia, lead, tuberculosis, and other problems, as needed
- Referral to Women, Infants, and Children (WIC) program for children up to age 5

## Other Services

If further health services are needed, we will help you find them, including:

- Dentists that accept Denti-Cal for the care of your child's teeth
- Medical specialists, as needed
- Mental and behavioral health services, as needed

Diagnosis and treatment can be paid for as long as your child has Medi-Cal.

## Information

For more information about CHDP, transportation options, or for help setting up an appointment, contact your local CHDP office.

You can find your local CHDP office by visiting the California Department of Health Care Services website at: [www.dhcs.ca.gov/services/chdp](http://www.dhcs.ca.gov/services/chdp)

***Regular health check-ups keep your child healthy.***

***Health check-ups can also find and treat problems before they become serious.***



Edmund G. Brown, Jr.  
Governor, State of California

## English

### Child Health and Disability Prevention (CHDP) Program

## Medical and Dental Health Check-Ups



## FREE

**For Babies, Children, and Youth  
Under age 21 with Full Scope Medi-Cal or  
Under Age 19 with Low Family Income.  
No Documentation Required**



# Why Get Health Check-Ups?

Health check-ups are important for all children and youth. Health check-ups are a time to:

- Find and address medical, dental, mental, and behavioral health problems
- Get needed shots
- Ask your doctor questions

Health check-ups can also be used for foster care, sports, camp, or school entry, as needed.

## Babies and Toddlers Birth Through 3 Years

Regular check-ups can keep your baby happy and healthy. You can find out about your baby's growth, weight, and health, and needed shots are given. At 1 year and 2 years, your baby should be tested for lead. A test for anemia is also given. Your child should see a dentist at least once a year starting by age 1.



## Dental

Please contact your local CHDP office for assistance to find a Dentist who accepts Denti-Cal. CHDP may also assist with appointment scheduling and transportation if necessary.

## School Children 4 Through 12 Years

It is important to make sure your child is healthy and ready for school. State laws require children to be up to date on their shots and get a health check-up.

School children will also get vision and hearing screenings. If your child has not had a lead test before, he/she should have one by age 6 or before. Your child should see a dentist at least once a year.



## Vision & Hearing

The local CHDP office can provide assistance to obtain vision and hearing services if medically necessary.

# Who is Eligible?

Children and youth up to age 21 who are eligible for Medi-Cal. Children and youth under age 19 with family incomes less than or equal to 200% Federal Income Guidelines are also eligible. Proof of residence and income is not required.

## Teens and Young Adults 13 Through 20 Years

Teens need health check-ups too! This is a chance to make sure your teen is growing and developing well. It is also a time for you or your teen to ask the doctor any questions. Extra health check-ups can be given for sports and camp physicals. Your child should see a dentist at least once a year.



## Mental Health, Autism and Behavioral Services

Contact the local CHDP office for assistance to access these services.

# Immunization Services in Santa Clara County

Santa Clara County  
**PUBLIC  
HEALTH**  
Immunization Education  
and Planning Program

## SCHOOL HEALTH CENTERS

- **Franklin McKinley School Center**  
645 Wool Creek Dr., San Jose, CA 95112  
1.408.283.6051
- **Gilroy Neighborhood Health Clinic**  
7861 Murray Avenue, Gilroy CA 95020  
1.408.842.1017
- **Overfelt Neighborhood Health Clinic**  
1835 Cunningham Ave., San Jose, CA 95122  
1.408.347.5988
- **San Jose High Neighborhood Health Clinic**  
1149 Julian St., Bldg. H, San Jose, CA 95116  
1.408.535-6001
- **Washington Neighborhood Health Clinic**  
100 Oak St., San Jose, CA 95110 1.408.295.0980

## MAYVIEW COMMUNITY HEALTH CENTERS

- **Mayview Community Health Center**  
270 Grant Ave., Palo Alto, CA 94306  
1.650.327.8717
- **Mayview Community Health Center**  
900 Miramonte Ave. 2<sup>nd</sup> floor, Mtn. View, CA  
94040 1.650.965-3323
- **Mayview Community Health Center**  
785 Morse Ave., Sunnyvale, CA 94085  
1.408.746.0455

## PLANNED PARENTHOOD CLINICS

Call center for all Planned Parenthood clinics:  
1.877.855.7526

- **Planned Parenthood, Blossom Hill**  
5440 Thornwood Dr., #G, San Jose, CA  
95123
- **Planned Parenthood, Mountain View**  
225 San Antonio Rd., Mtn. View, CA 94040
- **Planned Parenthood, San Jose Rose Garden**  
1691 The Alameda, San Jose, CA 95126
- **Mar Monte Community Clinic**  
2470 Alvin Ave., #60, San Jose, CA 95121

## GARDNER FAMILY HEALTH NETWORK

- **Alviso Health Center**  
1621 Gold St., Alviso, CA 95002 1.408.935.3949
- **CompreCare Health Center**  
3030 Alum Rock Ave., San Jose, CA 95127  
1.408.272.6300
- **Gardner Health Center**  
195 E. Virginia St., San Jose, CA 95112  
1.408.998.8815
- **Gardner South County Health Center**  
7526 Monterey St., Gilroy, CA 95020  
1.408.848.9400
- **St. James Health Center**  
55 E. Julian St., San Jose, CA 95112  
1.408.918.2600
- **Gardner Downtown Health Center**  
725 E. Santa Clara St., #10, San Jose, CA 95112  
1.408.794.0500

## COMMUNITY CLINICS/HEALTH CENTERS

- **Asian Americans for Community Involvement**  
2400 Moorpark Ave., #319, San Jose, CA 95128  
1.408.975.2763
- **Foothill Community Health Center, Gilroy Clinic**  
9460 No Name Uno, Suite 110, Gilroy CA 95020  
1.408.729.9700
- **Foothill Community Health Center, Family Clinic**  
1066 South White Rd., #170, San Jose, CA 95127  
1.408.729.9700
- **Foothill Community Health Center, Montpelier Clinic**  
2380 Montpelier Dr., #200, San Jose, CA 95116  
1.408.254.1800
- **Foothill Community Health Center, Story Clinic**  
2880 Story Rd., San Jose, CA 95127  
1.408.729-9700
- **Indian Health Center, Meridian**  
1333 Meridian Ave., San Jose, CA 95125  
1.408.445.3400
- **Indian Health Center, SilverCreek**  
1642 E Capitol Expy., San Jose, CA 95121  
1.408.445.3400 x200

To see if your child is eligible for free or low cost children's health insurance, please call:

- **Children's Health Initiative**  
1.888.244.5222
- **Child Health & Disability Prevention Program**  
1.408.937.2250
- **Medi-Cal Eligibility**  
1.877.962.3633
- **Santa Clara Valley Health & Hospital System  
ValleyConnection**  
1.888.334.1000

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status. Berryessa Union School District Board Policy 5145.13

# YOU HAVE RIGHTS

**You have rights under the U.S. Constitution and other laws**

All people in the U.S., whether citizen or non-citizen, have certain rights under the U.S. Constitution and other laws.



You have the right to refuse consent for immigration or the police to search yourself, your car or your home.

You have the right to speak to an attorney before answering any questions. You may say, "I will remain silent until I speak to an attorney."

I will remain silent until I speak to an attorney.



I have the right to remain silent



You have the right to remain silent. If you want to exercise that right, you should say it out loud.



You do not have to sign anything that you do not understand.

If you are not a U.S. citizen, you have the right to call the consulate of your home country. Immigration and police must let your consulate visit or speak with you.



You have the right to a copy of all your immigration papers.







Pathway to the Future

**BERRYESSA UNION SCHOOL DISTRICT**  
**Student Wellness Policy Points for District Schools, Parents & Teachers**  
(Student Wellness Policy Administrative Regulations 5030, August 14, 2018)

**Fundraisers:**

- To support the district's nutrition promotion efforts, school fundraising activities held on campus during the school day will not involve food or will use only foods that meet state and federal child nutrition regulations. (A list of compliant foods can be found on the district Child Nutrition Services webpage, or at the link below)
- Students may receive *compliant* foods and/or beverages from order forms or when redeeming purchased vouchers. If the foods and/or beverages are *noncompliant*, students must collect the foods and/or beverages off school campus or ½ hour after the end of the school day if on school campus.

**Classroom Celebrations and Rewards:**

- Class parties or celebrations that involve food shall be held after the lunch period and shall be limited to no more than one party per class per month.
- Parents are encouraged to offer healthy food and beverage choices for celebrations. Foods should be commercially purchased and devoid of common allergens, e.g., peanuts, to minimize the risk of food-borne illness and allergic reactions.
- Schools shall not use foods or beverages of minimal nutritive value as rewards.

**School Meals:**

- To help protect against foodborne illness, students and staff shall be prohibited from taking school meals off campus to eat, unless it is during a district-approved field trip, as set forth by Board Policy 3550.

\* The Student Wellness Policy 5030 and Administrative Regulations can be viewed on the Child Nutrition Services webpage, which is accessed through the BUSD webpage, or directly at:

<http://www.schoolnutritionandfitness.com/index.php?page=wellnesspolicy&sid=1903132300206951>

Roxane Fuentes, Ed.D.  
Superintendent

981 Ridder Park Dr.  
San Jose, CA 95131



Phone: (408) 923-1800  
Fax: (408) 923-0623

**Dear Berryessa Family,**

We are excited to see you back on campus for the 2023-24 school year! Last school year, Student Nutrition Services continued to provide free meals to our students. In school year 2023–24, we will continue to provide free meals to our students based on California’s statewide Universal Meals Program for school children. Students may receive one free breakfast and one free lunch per school day.

We encourage you to complete the 2023-24 meal application, even though your children will eat for free. If you submit a meal application and qualify for Free or Reduced price meals, your child’s school will receive additional funding and your household may qualify for discounts on afterschool programs and utilities (e.g., PG & E), etc. Meal applications can be submitted online and on paper. Online applications are fast, easy and confidential. To apply online, visit MySchoolApps at <https://www.myschoolapps.com/>. Paper applications will be available at the Student Nutrition Services office and your child’s school in August. The application must contain the following information in order for it to be processed:

- The names of all children in the household, including infants and children attending other schools/colleges
- The names and income of all other household members, including cousins, aunts, uncles, etc. living in the household
- A signature of the adult who completes the application
- The last 4 digits of the adult’s Social Security number (if none, mark the “No SSN” box)

If you have any questions, please visit our website at <https://www.berryessa.k12.ca.us> or call 408-923-1875 or 408-923-1879.

Sincerely,

Mari Fujikawa  
Director, Student Nutrition Services

**BOARD OF TRUSTEES**

Hugo Jiménez

Khoa Nguyen

Jai Srinivasan

Jaria Jaug

Thelma Boac





Pathway to the Future

## BERRYESSA UNION SCHOOL DISTRICT

981 Ridder Park Dr., San Jose, CA 95131

### **Notification of Parent or Guardian -- Education Code Section §48981-- Times & Means of Notification**

The notice to parents regarding federal laws and education code excerpts relating to rights of parents or guardians of minor pupils shall be sent at the time of registration for the first semester, quarter, or trimester of the regular school term. The notice may be sent by regular mail or by any other method normally used to communicate with the parents or guardians in writing.

*The following acknowledgment must be included as part of your child's school record. Please complete this form and return it to school.*

### **PARENTAL ACKNOWLEDGEMENT**

- ☐ I have received and read the attendance information and will make every effort to ensure my child/children attend school every day that school is in session.
- ☐ I have received and read the notice to parents regarding federal laws and education code excerpts relating to rights of parents or guardians of minor pupils.

### **MANDATORY RECOMMENDATION FOR EXPULSION (EC §48915(C)(1) AND (2), EC §48915(a)(2)) ACKNOWLEDGEMENT**

My signature and my parent's signature below indicate that I/we understand the Mandatory Recommendation for Expulsion. I agree that I will bring no controlled substances or weapons of any kind including knives of any size, key chain knives, Swiss Army knives, guns or any other device that can be used as a weapon, onto the school property. I/we further understand that violation of this policy will result in a recommendation for expulsion. Board Policy 5131.

### **CODE OF CONDUCT ACKNOWLEDGEMENT**

My parents and I have reviewed the School's Code of Conduct and the common dress code (Cherrywood, Morrill, Northwood, Piedmont, Sierramont, and Summerdale). I understand that I am responsible for the guidelines and rules it contains. If I have questions about the Code of Conduct and/or the Dress Code (Uniform Policy), I know I can call the school or make an appointment with the Principal or Assistant Principal.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

My child's name is \_\_\_\_\_

He/she attends (name of school) \_\_\_\_\_ Grade \_\_\_\_\_

### **FORM A**

**SIGN AND RETURN FORM TO SCHOOL**



Dear Parent/Guardian:

As part of the accountability requirements under the Every Student Succeeds Act (ESSA), the U.S. Department of Education is requiring that school districts identify students who are Armed Forces Family Members. These students will be part of a new accountability subgroup.

**The Armed Forces Family Member information will be collected on a yearly basis.**

### **What is the definition of an “Armed Forces Family Member”?**

A student is considered to be an Armed Forces Family Member if at least one parent is an Armed Forces member, on active duty or serves on full-time National Guard duty. The terms “armed forces,” “active duty,” and “full-time National Guard duty” as defined by Sections 101(a)(4), 101(d)(1), and 101(d)(5) of the United States Code are:

- 101(a) (4) – The term “armed forces” means the Army, Navy, Air Force, Marine Corps, and Coast Guard.
- 101(d) (1) – The term “active duty” means full-time duty in the active military service of the United States. Such term includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty.
- 101 (d) (5) – The term “full-time National Guard duty” means training or other duty, other than inactive duty, performed by a member of the Army National Guard of the United States or the Air National Guard of the United States in the member's status as a member of the National Guard of a State or territory, the Commonwealth of Puerto Rico, or the District of Columbia under Section 316, 502, 503, 504, or 505 of Title 32 of the United States Code, for which the member is entitled to pay from the United States or for which the member has waived pay from the United States.

**Please complete this form and return it to your child’s school office**

**Student First Name:** \_\_\_\_\_ **Last Name:** \_\_\_\_\_ **ID#** \_\_\_\_\_

**School:** \_\_\_\_\_ **Grade:** \_\_\_\_\_ **Birthdate:** \_\_\_\_\_

**Student Military Identifier number:** \_\_\_\_\_

**United States Armed Forces Information:** (Required annually by U.S. Department of Education)

**Is either parent/guardian on Active Duty in the Armed Forces?**

(Air Force, Army, Coast Guard, Marines, Navy or member of any reserve forces) **NO** \_\_\_\_\_ **YES** \_\_\_\_\_

\*\*\*\*If yes, please provide parent/guardian name: \_\_\_\_\_ and relationship to student \_\_\_\_\_.

(If both parents/guardians are on active duty, please complete a form for each parent. Additional forms are available in school offices or online at [www.berryessa.k12.ca.us/OUR-DISTRICT/Education-Services/Enrollment-Process/index.html](http://www.berryessa.k12.ca.us/OUR-DISTRICT/Education-Services/Enrollment-Process/index.html).)

**If yes, please indicate which service:**

☐ Air Force ☐ Air Force Reserve ☐ Air National Guard ☐ Army ☐ Army Reserve ☐ Army National Guard  
☐ Coast Guard ☐ Coast Guard Reserve ☐ Marine Corps ☐ Marine Corps Reserve ☐ Navy ☐ Navy Reserve

**If active duty, please indicate the date duty began: Month** \_\_\_\_\_ **Year** \_\_\_\_\_

**Current status:** ☐ Active Duty, deployed ☐ Active duty, not deployed ☐ Discharged ☐ Inactive

☐ Injured ☐ Killed in action ☐ Retired ☐ Student Military Identifier only ☐ Transitioning out of active duty

**FORM B - SIGN AND RETURN TO SCHOOL**

Berryessa Union School District  
Housing Questionnaire

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Student Last Name

First

Middle

---

Name of School:

The information provided below will help the LEA determine what services you and/or your child may be able to receive. This could include additional educational services through Title I, Part A and/or the federal McKinney-Vento Assistance Act. The information provided on this form will be kept confidential and only shared with appropriate school district and site staff.

Presently, are you and/or your family living in any of the following situations?

- ☐ Staying in a shelter (family shelter, domestic violence shelter, youth shelter) or Federal Emergency Management Agency (FEMA) trailer
- ☐ Sharing housing with other(s) due to loss of housing, economic hardship, natural disaster, lack of adequate housing, or similar reason
- ☐ Living in a car, park, campground, abandoned building, or other inadequate accommodations (i.e. lack of water, electricity, or heat)
- ☐ Temporarily living in a motel or hotel due to loss of housing, economic hardship, natural disaster, or similar reason
- ☐ Living in a single-home residence that is permanent

I am a student under the age of 18 and living apart from parent(s) or guardian: O Yes O No

*The undersigned parent/guardian certifies that the information provided above is correct and accurate.*

---

Print Parent/Guardian Name

Signature

Date

---

(Area Code) Phone Number

Street Address

City

State

Zip

---

Your child or children have the right to:

- ☐ Immediate enrollment in the school they last attended (school of origin) or the local school where you are currently staying, even if you do not have all the documents normally required at the time of enrollment.
- ☐ Continue to attend their school of origin, if requested by you and it is in the best interest.
- ☐ Receive transportation to and from their school of origin, the same special programs and services, if needed, as provided to all other children, including free meals and Title I.
- ☐ Receive the full protections and services provided under all federal and state laws, as it relates to homeless children, youth, and their families.

Please list all children currently living with you.

Name	Gender	Birthdate	Grade	School

If you have any questions about these rights, please contact the local homeless liaison, Thomas Carroll, by phone at (408) 923-1905 or by email at: [tcarroll@busd.net](mailto:tcarroll@busd.net)

**FORM C – SIGN AND RETURN TO SCHOOL**