

Ontario-Montclair School District



2023-2024

Parent, Guardian and Student Annual Notification Handbook



*“Our Community, Our Children,
Our Commitment, Our Future”*

BOARD OF TRUSTEES

Sonia Alvarado

Kristen Brake

Sarah S. Galvez

Flora Martinez

Elvia M. Rivas

SUPERINTENDENT

Dr. James Q. Hammond, Ed.D.

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Contents

STUDENT MEDIA AUTHORIZATION AND RELEASE	4
PARENT/GUARDIAN AUTHORIZATION TO RELEASE DIRECTORY INFORMATION.....	5
STUDENT USE OF CELLULAR PHONE POLICY	6
STUDENT TECHNOLOGY RESPONSIBLE USE AGREEMENT	7
72 HOUR NOTIFICATION OF REGULATED PEST MANAGEMENT CHEMICALS	10
OMSD ANNUAL NOTIFICATION OF PLANNED PESTICIDE USE	11
AHERA NOTIFICATION.....	13
PROFESSIONAL CERTIFICATIONS.....	14
CALIFORNIA COMPULSORY ATTENDANCE LAW.....	15
OMSD BULLYING AND HARASSMENT POLICY.....	16
UCP ANNUAL NOTICE.....	17
PARENT & STUDENT RIGHTS REGARDING IMMIGRATION STATUS	18
CHILD ABUSE AND NEGLECT REPORTING	19
CALIFORNIA LAW REGARDING SAFE STORAGE OF FIREARMS	20
FERPA NOTIFICATION	21
OMSD LANGUAGE ACQUISITION PROGRAM OPTIONS	23
TITLE IX NOTIFICATION	24
DISTRICT RULES AND PROCEDURES	25
BOARD POLICIES	40
MARRIED/PREGNANT/PARENTING STUDENTS.....	41
FIREARMS ON SCHOOL GROUNDS	44
BULLYING.....	45
PARENT INVOLVEMENT	47
SEXUAL HARASSMENT	49
NONDISCRIMINATION/HARASSMENT.....	51
SUICIDE PREVENTION	53

ONTARIO-MONTCLAIR SCHOOL DISTRICT

Dear Parent/Guardian:

The Ontario-Montclair School District is required to annually notify parents and guardians of their rights and responsibilities in accordance with Education Code 48980.

If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact an administrator at your child's school. He or she will be able to give you more detailed information and assist you in obtaining copies of any material you wish to review.

Child Welfare, Attendance & Records
950 West "D" Street
Ontario, CA 91762
(909) 418-6477



ONTARIO-MONTCLAIR SCHOOL DISTRICT

Student Media Authorization and Release

I agree to the terms below to grant Ontario-Montclair School District, its officers, employees, and agents, service providers and assigns (collectively referred to herein as “OMSD”) permission to use, adapt, modify, reproduce, create derivative works, distribute, publicly perform and display, in any form now known or later developed, my pupil’s image or visual likeness, name and/or voice, as well as writing, creations and artwork created by my pupil, throughout the world, by incorporating it or them into publications, **yearbooks**, catalogues, brochures, books, magazines, newsletters, photo exhibits, motion picture films, videotapes, webpages, and/or other media or commercial, informational, educational, training, advertising, recruiting or promotional materials relating thereto using any means, method or media which OMSD deems appropriate in its sole discretion and that they may be used with or without my or my pupil’s name or with a fictitious name and with fictitious or accurate biographical information. **Note: This form will also allow your pupil to be interviewed, photographed and/or filmed by members of the media.**

I make this grant of rights with the understanding that no compensation will be paid to me or my pupil for such grant. I understand and agree that all right, title and interest, including copyrights, in the materials created by OMSD pursuant to this agreement are the exclusive property of OMSD and that I will obtain no rights in such materials. I also understand that OMSD is not actually required to use my pupil’s name, photograph, likeness, image, voice, signature, writing, creations or artwork in any way.

I hereby waive any right that I or my pupil may have to inspect or approve any photograph, likeness, image, video, audio recording, creation or derivative work thereof made pursuant to this Authorization and Release. I understand that under California law individuals have the legal right to control the use of their names, likenesses and images and I hereby release all such rights and hold harmless OMSD, its agents, licensees, and assignees from, and will neither sue nor bring any proceeding against any such parties for any liability, whether now known or arising hereafter, resulting from or arising in connection with the exercise of such parties’ rights pursuant to this agreement.

This Authorization and Release will be governed by the laws of the State of California and represents the final and exclusive agreement between OMSD and myself on this subject.

I attest that I am the legal guardian of the minor listed below. I have read the above agreement and fully understand its contents. I represent and affirm that I am at least 18 years of age, that I have the right to contract in my pupil’s name, and that neither I nor my pupil has any pre-existing obligation that may restrict or limit my ability to sign this Authorization and Release.

☐ I fully agree to the terms and Authorize and Release OMSD pursuant to all the details outlined in the above agreement.

☐ I DO NOT Authorize and Release OMSD pursuant to the details outlined in the above agreement.
Please note that your denial of this Authorization means that your child’s picture will NOT be included in the school yearbook.

Student Name

School Name

Student ID #

Grade

Parent/Guardian Name (*PRINT*)



Parent/Guardian Signature

Date

ONTARIO-MONTCLAIR SCHOOL DISTRICT

PARENT/GUARDIAN AUTHORIZATION TO RELEASE DIRECTORY INFORMATION 2023-2024

(Applicable for the 2023-2024 School Year ONLY)

The Parent/Guardian directory information authorization allows the Ontario-Montclair School District to include student directory information in certain school publications. This information includes student names, addresses and telephone listings - information that is generally not considered harmful, or an invasion of privacy, if released.

The Family Educational Rights and Privacy Act (FERPA) and Education Code 49073 permits school districts to disclose appropriately designated "directory information" without written consent, unless the Parent/Guardian has notified the district that they do not wish their student's directory information to be disclosed without prior written consent.

PARENTS/GUARDIANS: If you approve the use of directory information, please DO NOT COMPLETE THIS PAGE. Your approval will be indicated on the "Signature Page." If you wish to deny, or limit, the use of your child's directory information, please complete this form and return it to the school.

Please check the box(es) below if you wish to deny or limit the use of your student's directory information

- ☐ I do not wish to have my student's directory information released to any individual or organization.
- ☐ I authorize the district's use of my student's directory information, but wish to exclude the groups checked below from receiving any information.
 - ☐ Parent Teacher Association (PTA) or Parent Teacher Organization (PTO)
 - ☐ State of California Health Department
 - ☐ School's use of my child's image and/or name in the school Yearbook

Student Name: _____ Date of Birth: _____

School: _____ Student ID # _____

Parent/Guardian Name (*PRINT*)

 _____
Parent/Guardian Signature

Date



Ontario-Montclair School District

Office of Child Welfare, Attendance & Records

Student Use of Cellular Phone Policy (BP 5131, BP & AR 5145.12)

California law allows student possession and limited use of cell phones and other electronic communication devices while at school. **Students must, however, obey the following district guidelines as well as individual school rules for use.**

Students may possess or use cell phones and other electronic communication devices on a school campus **provided that such devices do not disrupt the educational program**, or any school activity, and are not used for illegal or unethical activities such as cheating on assignments or tests.

Electronic communication devices shall be turned off and kept out of sight during class time, or at any other time, as directed by a school employee, except where deemed medically necessary or when otherwise permitted by a teacher or administrator.

Students shall not be prevented from using their cell phone in case of an emergency, except where that use inhibits the ability of school district employees to effectively communicate instructions for the safety of students.

Students shall not use cell phones or other electronic communication devices, such as a smartwatch with camera, video or voice recording function, in a way or under circumstances which infringe the privacy rights of other students and adults and **without express permission from a school employee (BP 5131).**

Violations of this policy shall be subject to each school's progressive discipline plan. If a student's use of an electronic communication device causes a disruption, a school district employee on the first offense may direct the student to turn off the device or give a verbal warning to the student. On subsequent offenses, the employee may confiscate the device and return it to the student at the end of the class period, school day or activity. Continued violations could result in confiscation and hold for parent pick-up and loss of permission to possess the device on campus, **except where deemed medically necessary.** Students may be subject to additional disciplinary measures when their use of an electronic communication device violates individual school rules **(BP 5131).**

Students are responsible for personal electronic communication devices they bring to school. The district shall not be responsible for loss, theft or destruction of any such device brought onto school property, except that it shall be the responsibility of the school to ensure the safekeeping of any confiscated devices. **Confiscated electronic communication devices shall be stored by school district employees in a secure manner (BP 5131)**

In the case of a serious matter or emergency, a school official may ask the student or parent/guardian to view the content of the student's electronic device. This may include inappropriate or illegal access of the district network, software and operating equipment.

Please contact your child's school office or the Ontario-Montclair School District's Office of Child Welfare, Attendance & Records for questions or concerns.

We have read and understand the Ontario-Montclair School District policy regarding Student Possession & Use of Cell Phones and other Electronic Communication Devices and the related legal considerations.

_____ Student Name (Please Print)	X _____ Student Signature	_____ Date
_____ Parent/Guardian Name (Please Print)	X _____ Parent/Guardian Signature	_____ Date
_____ School Name	_____ Teacher Name	_____ Grade Level



ONTARIO-MONTCLAIR SCHOOL DISTRICT

Child Welfare, Attendance and Records

Student Technology Responsible Use Agreement

The Ontario- Montclair School District is providing students access to the district's electronic network. The purpose of the network is to assist in preparing students for success in career and college readiness by providing them with electronic access to a wide range of information. The district network and technology devices have been given to students as tools to promote educational excellence, innovation, and communication for students and staff.

This document (hereinafter, referred to as "Agreement") applies to ALL students accessing the OMSD electronic network, all resources and tools made available through the network such as student email, google classroom, district provided hotspots, and all devices connected to the network, including the use of **Personal Devices** on District property that are connected to the district's network.

Required Review

To educate students on the expectations for responsible and appropriate use of the OMSD provided devices, services, network and internet access, students are required to review and sign this Agreement each school year. Additionally, OMSD staff supervising students who use the OMSD electronic network shall emphasize to students' appropriate use of network and devices. The parent/guardian of a student is also required to acknowledge receipt and understanding of this Agreement.

District Technology Policies

- The OMSD electronic network has been established for educational purposes and not as a public access service or a public forum.
- A content filtering solution is in place to prevent access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the Children's Internet Protection Act (CIPA)
- Students must sign and adhere to this Agreement, and parent/guardian permission is required for all students under the age of 18. **The district is not responsible for the actions of students who violate this Agreement.**

Access is a privilege – not a right:

- *The district reserves the right to monitor all activity on the OMSD electronic network, district provided accounts and devices. Students have no expectation of privacy with respect to usage of the electronic network, even if the use is for personal purposes. This includes personal devices logged on/using OMSD network and/or tools.*
- Students and Parents/Guardians may be held responsible for any damage that is caused by their inappropriate use of the network or devices.

Digital Citizenship Expectations:

While utilizing OMSD's electronic network and devices, students are expected to exhibit responsible behavior and to refrain from engaging in inappropriate use. The OMSD electronic network is considered a limited forum, and therefore the District and School site has the right to restrict a student's use of the network for valid reasons, including but not limited to, violations of the following:

- Students shall not post information that, if acted upon, could cause damage or danger to any person(s) or disruption to the educational environment for staff and/or students.
- Students shall not engage in any form of cyberbullying or electronic personal attacks. This includes, but is not limited to harassment or engagement in any activities intended to harm (physically or emotionally) another person.
- Students shall not distribute or post fabricated, harmful or defamatory information about a person or organization.
- Students shall not use the OMSD electronic network or devices or personal devices to engage in criminal activity.
- Students shall not display, access or send offensive, explicit, or inappropriate messages or content.
- Students shall not offer, provide, or purchase products or services through the OMSD electronic network.
- **Students shall not search, share, or save any inappropriate images from the internet or from other students.**
- Students shall not download unauthorized games, programs, files, electronic media, and/or standalone applications (Apps) from the internet.
- Accessing, viewing, saving, or transmitting pornographic or obscene material.

Continues next page

Appropriate Use

OMSD regards technology use as a privilege, not a right, and inappropriate use may result in disciplinary consequences.

- Use of technology that results in compromising the security of the operating equipment and/or software is prohibited.
- Technology is used to support student learning and enhance instructional programs. The Internet makes it possible for students to access many types of resources and to interact with other students, individuals, or services located inside and outside the district.
- Some of the information available through the Internet may contain harmful matter, or be otherwise inappropriate for educational purposes.
- Acceptable use of technology includes communication in support of research and learning, access and exploration of appropriate information and resources, on assignments or projects. Routine maintenance and monitoring of computer and Internet systems will occur.
- **The district reserves the right to conduct individualized searches of a user's actions on the network if there is reasonable suspicion that a law or rule has been violated.**

Security

- Each student is responsible for their individual student account and should take reasonable precautions to prevent others from being able to access them, which includes not sharing passwords.
- Students shall immediately report to a staff member if they have identified a potential security problem, or if they receive a message that is inappropriate.
- Students should not search for an alternative method of accessing inappropriate, unauthorized, or blocked websites.
- Students shall not attempt to access non-student District Systems.
- Students shall not make deliberate attempts to disrupt the OMSD electronic network or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- Students shall not intentionally attempt to access websites blocked by District policy, including use of proxy services, software, or blocked websites.

Vandalism

- Any malicious attempt to harm or destroy data, the network, other network components connected to the network backbone, hardware or software may result in **cancellation of network privileges**

Violation of this Agreement

- Violating any point of this Agreement may result in loss of access as well as other disciplinary and/or legal action(s) at the discretion of the school administration and District personnel.
- A violation of this Agreement shall be subject to the consequences as indicated within this Agreement, as well as other appropriate disciplinary action(s), including but not limited to
 - Use of OMSD electronic network only under direct supervision
 - Suspension/Revocation of network privileges
 - Suspension of computer privileges
 - Suspension/Expulsion from school

THE SUPERINTENDENT OR DESIGNEE AND/OR THE BOARD SHALL DETERMINE FOR EXTREME INCIDENTS WHEN SCHOOL EXPULSION AND/OR LEGAL ACTION OR ACTIONS BY THE AUTHORITIES ARE THE APPROPRIATE COURSE OF ACTION.

Continues next page

Student Acknowledgement:

I have read and agree to abide by this Agreement and I agree not to hold the district or any district staff member responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. I also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

Student Name: _____ Student ID _____
(Please print)

School: _____ Grade: _____

Student Signature: **X** _____ Date: _____

Parent or Legal Guardian Acknowledgement (If the student is under 18 years of age, a parent/guardian must also read and sign this Agreement).

As the parent/guardian of the above-named student, I have read, understood, and agree that my child shall comply with the terms of this Agreement. By signing this Agreement, I give permission for my child to use district technology and/or to access the district's network and internet. I understand that, despite the district's best efforts, it is impossible for the school to restrict access to all offensive and prohibited materials on the internet. I agree to release from liability, indemnify, and hold harmless the school, district, and district personnel against all claims, damages, and costs that may result from my child's use of district technology and network or the failure of any technology protection measures used by the district. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting.

Parent/Guardian Name: _____
(Please print)

Parent/Guardian Signature: **X** _____ Date: _____

Ontario-Montclair School District

950 West D Street, Ontario, California 91762 • (909) 459-2500 • FAX: (909) 459-2543

Facilities Planning and Operations

BOARD OF TRUSTEES

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Kristen Brake
Sarah S. Galvez
Flora Martinez
Elvia M. Rivas

James Q. Hammond, Ed.D.
Superintendent

Phil Hillman
Chief Business Official

Brooke Murray
*Director, Facilities Planning and
Operations*

March 8, 2023

72 Hour Notification of Regulated Pest Management Chemicals

Dear Parents, Guardians and Staff Members,

Under the Healthy Schools Act of 2000 school districts using registered pesticides are to notify parents, guardians, and staff annually of pesticides expected to be applied during the school year. School districts that have adopted integrated pest management (IPM) practices that employs the use of least-toxic, non-regulated, products and practices, are exempt from notification and posting because of the reduced risk to the public.

Effective January 1, 2020, the District adopted integrated pest management (IPM) that employs the use of least-toxic, non-regulated, products and practices. Should the District's IPM products prove to be ineffective at addressing conditions posing a serious threat to the health and safety of students, staff, or the community, or to maintain the integrity of a structure, the use of regulated products would be considered. During such instances, whenever possible, the application of such products will occur during non-school hours, following the required notification process for such regulated products.

A warning notification will be posted at the application site of your child's school 24-hours in advance of the application of a regulated product. The warning notification will remain posted for 72-hours after the application. A copy of the warning notification will be on file in the school office. The pest management product list, indicating the names of the pesticides and their active ingredients that may be used by the District, is attached to this communication.

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>

You can also find information on our District website <https://www.omsd.net/IPM>

If you have any questions, please contact me at 909-418-6591.

Doug Jones

Doug Jones
Supervisor of Operations/Regulatory Compliance



If you wish to receive 72-hour advance notification of a planned pesticide application, please complete the information below and submit it to your child's school.

Date: _____ School Site _____

Student's Name _____

Parent's Name _____ Parent's Signature **X** _____

How would you prefer to be notified, please check one.

☐ Cell phone: _____ ☐ Email: _____

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Superintendent

Phil Hillman
Chief Business Official

Brooke Murray
Director, Facilities Planning and Operations

February 2, 2023

OMSD ANNUAL NOTIFICATION OF PLANNED PESTICIDE USE

Dear Parents, Guardians and Staff Members,

In accordance with the Healthy Schools Act of 2000, the following is a listing of pesticides that may be used at the District's schools or support facilities during the 2023-24 school year.

Names of Pesticide	Active Ingredients
Advion Fire Ant Bait	Indoxacarb 0.045%
Advion Ant	Indoxacarb 0.1%
Alpine WSG	Dinotefuran 40%
BASF Advance 375A	Abamectin B1 .011%
BASF PT 565 Plus XLO	Pyrethrins .5%, Piperonyl Butoxide 1.0%
BASF PT Alpine Flea & Bed Bug	Dinotefuran .25%, Pyriproxyfen .10%, Prallethrin .05%
BASF PT Cy-Kick CS	Cyfluthrin 0.1%
Bayer Maxforce FC	Fiproni 1.0045%
Bayer Maxforce Fleet	Fipronil .01%
Bayer Maxforce Quantum	Imidacloprid .03%
Bayer Tempo Ultra WP	Cyfluthrin 10%
Burnout Weed and Grass*	Citric Acid 24%, Clove Oil 8%
Contrac ALL Weather Blox	Bromadiolone .005%
EcoVia CA*	Thyme Oil .88%, Rosemary Oil .53% Cinnamon Oil .26%
Eco Via EC*	Thyme Oil 20%, Pencythyl Propionate 14%, Rosemary Oil 8%
Eco Via G*	Thyme Oil 2.4%, Clove Oil 2.4%, Lemongrass Oil 2%
Essentria	Tetramethrin 0.10%
Essentria Wasp and Hornet Spray*	Peppermint Oil 1.5%, Sodium Lauryl Sulfate 0.15%
Essentria G*	Eugenol 2.9%, Thyme Oil 0.6%, Wintergreen Oil 96.5%
Essentria IC3*	Rosemary Oil 10%, Geraniol 5%, Peppermint Oil 2%

Continues next page

List of pesticides (continues)

Name of Pesticides	Active Ingredients
FMC CB-80	Pyrethrins.50%, Piperonyl Butoxide 4%
FMC DOS Flea and Crawling Insect Spray	Pyrethrins .05%, Permethrin .20%
Gopher Scram*	Castor Oil 13%, Clove Oil 1.25%, Garlic Oil 13%, Linseed Oil 3%
In2Mix	Pyriproxfen 74.03%, Beauveria bassiana 10%
Lifeline Herbicide	Glufosinate-ammonium 24.5%
Precor 2000 Plus	Methoprene .085%, Permethrin 0.35%, Phenothrin .3%
Razor Pro	Glyphosate 41%
Skeeter Mosquito Control Larvicide*	Garlic Oil 20%, Soybean Oil 1%
Suppress EC	Caprylic Acid 47%, Capric Acid 32%
Talstar PL Granular Insecticide	Bifenthrin 0.2%
Terro-PCO	Sodium Tertaborate Decahdrate 5.4%
Termidor SC	Fibronil 9.1%
Termidor HE	Fibronil 8.73%
Weed Zap*	Cinnamon Oil, Clove Oil
Wisdom TC Flowable	Bifenthrin 7.9%

**These chemicals are exempt from notification regulations established by AB2260*

More information regarding these pesticides and pesticide use reduction is available on the Department of Pesticide Regulation's web site at <http://www.cdpr.ca.gov>.

If you have any questions, please contact me at (909) 418-6366.

Doug Jones

Doug Jones
Supervisor of Operations/Regulatory Compliance

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Ontario-Montclair School District

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Facilities Planning and OperationsJames Q. Hammond, Ed..D.
*Superintendent*Phil Hillman
*Chief Business Official*Brooke Murray
*Director, Facilities Planning and
Operations*

May 1, 2023

AHERA NOTIFICATION

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA). This Act required inspection and testing of building materials suspect for containing asbestos and those materials found to contain asbestos be reported in the District's AHERA Management Plan. These materials are to be reinspected every three years by an outside company to ensure its condition has not changed and to update the plan to account for any materials abated. In addition to these inspections, the district also conducts semi-annual inspections of these materials. The district is committed to ensuring a safe environment exists for its students, staff, and visitors.

The AHERA Management Plan is available for their inspection, between the hours of 7:30 a.m. and 4:00 p.m., Monday through Friday in the District's Operations Department located at 950 West D Street, Ontario, CA.

If you have any questions, please contact me at 909-418-6591.

*Doug Jones*Doug Jones
Supervisor of Operations/Regulatory Compliance

HUMAN RESOURCES

Professional Certifications

To Parents/Guardians:

Your child is attending a school receiving Title I federal funds through the Elementary and Secondary Education Act (ESEA). At the beginning of each school year, local educational agencies receiving Title I funds are required to notify parents whose student(s) attend a Title I school that they may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum:

- Whether the student's teacher:
 - Has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
 - Is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
 - Is teaching in the field of discipline of the certification of the teacher.
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

If you would like this information, please contact Verónica Bucheli (909)418-6307.

Sincerely,



Hector Macias
Assistant Superintendent Human Resources



ONTARIO-MONTCLAIR SCHOOL DISTRICT

Office of Child Welfare, Attendance & Records

California Compulsory Attendance Law (Education Code 48200)

The mission of the Ontario-Montclair School District is: Whatever it takes, we guarantee our commitment to the highest quality education for all students. Students who are excessively absent from school are not able to accomplish their educational goals. According to the California Compulsory Attendance Laws (Education Code 48200), parents and students are responsible for regular school attendance. Occasionally, a student must be absent from school for reasons which are acceptable to the school and the courts, such as illness, medical appointments, or a death of an immediate family member. Please send a note to school following an absence explaining the reason for your child's absence.

The District Attendance policy states:

- 1. Ten or more days of excused absences within a school year are considered excessive and may require a doctor's note to excuse subsequent absences. The district has created a policy to address excessive excused absences which requires signing an Attendance Contract after 11 days and being referred to a School Attendance Review Board (SARB) hearing if the absences continue. Excused absences include full day absences and/or tardiness and early releases for less than 30 minutes.**
- 2. Three (3) days of unexcused absences, or tardiness for more than 30 minutes, or early releases for more than 30 minutes, or any other partial day absence for more than 30 minutes without a valid excuse, or any combination thereof within a school year, will result in the school mailing the parent/guardian the 1st Truancy Report letter. This notification asks for the parent's/guardian's help with their student's attendance and warns of the consequences for further absences.**
- 3. After five (5) days of unexcused absences, or tardiness for more than 30 minutes, or early releases for more than 30 minutes, or any other partial day absence for more than 30 minutes without a valid excuse, or any combination thereof within a school year, the school will mail the 2nd Truancy Report letter. This letter requires the parent/guardian to attend a meeting at the school (SART) and sign an Attendance Review Contract. The intent of the meeting is to create and implement a written plan and to determine if there are any services the school may provide to assist the family with attendance issues.**
- 4. After seven (7) day of unexcused absences, or tardiness for more than 30 minutes, or early releases for more than 30 minutes, or any combination thereof within a school year, the school will mail the 3rd Truancy Report letter. This letter declares the student a "Habitual Truant" and informs parent/guardian that the next absence will result in the family being required to attend a School Attendance Review Board (SARB) hearing with the District Attorney of the San Bernardino County. At this meeting a SARB contract is signed.**
- 5. After nine (9) days of unexcused absences and/or tardiness within a school year, the district will mail the parent/guardian a summons to appear at a School Attendance Review Board (SARB) hearing. Failure to appear may result in a citation being issued to the parent/guardian. Parents/Guardians and students who fail to abide by the stipulations of the SARB contract may also receive a citation and summons to appear before the court.**

Parents/Guardians are advised to check, when necessary, with the school attendance clerk concerning the number of excused and unexcused absences their student(s) may have. The Ontario-Montclair School District appreciates the efforts of parents/guardians in assisting us to deliver a quality education to all students.

For questions regarding the district attendance policy, please contact the Child Welfare, Attendance & Records Office at (909) 418-6477.



ONTARIO-MONTCLAIR SCHOOL DISTRICT

Office of Child Welfare, Attendance & Records

Legal Notice for Pupils & Parents/Guardians Regarding OMSD Bullying and Harassment Policy

The Ontario-Montclair School District prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics of a person's disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. This policy applies to all acts related to school activities on campus and may include acts occurring off campus during non-school hours.

Bullying is defined as any *severe or pervasive* physical or verbal act or conduct, including communications made in writing or by means of an electronic act, known as cyber-bullying, and including one or more acts committed by a pupil or group of pupils directed toward one or more pupils that has, or can be reasonably predicted to have, the effect of causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health, academic performance, or ability to participate in school activities.

REPORT IT

Any student who has been a victim of bullying or harassment, or someone who has witnessed bullying or harassment, on school grounds, during school activities, going to and coming from school, or when applicable, off-campus during non-school hours, is highly encouraged to report the incident. Students should immediately contact an administrator, counselor, teacher or other school staff member to report an incident. Students who wish to remain anonymous may report an incident by completing a Bullying/Harassment Incident Form and submitting it to any school staff member. These forms are available in the school office or online at the OMSD District website.

INVESTIGATION

The principal or designee shall promptly investigate all complaints of bullying or sexual harassment. The student who reports the complaint shall have an opportunity to complete a Bullying/Harassment Incident Form, providing details of the event, including the identity of the alleged perpetrator, a detailed description of the event, known witnesses, and anyone else they have shared the information with. Within 10 school days of the reported incident, the principal or designee shall provide a written response to the complainant and his/her parent/guardian. The report shall include the administrator's findings, decision, as well as the rationale for the decision. If the student or parent/guardian is in disagreement with the outcome of the investigation, an appeal may be filed at the Department of Child Welfare, Attendance & Records at 950 West D Street, Ontario, CA 91762.

TRANSFER REQUEST

A child that has been reported as the victim of a violent offense as defined by state law is entitled to transfer to another school within or outside of the district, under California Education Code 46600 § (b). Placement at a requested school is contingent upon space availability. Transfer requests can be obtained at the Department of Child Welfare, Attendance & Records located at 950 West D Street, Ontario, CA 91762.

For questions and concerns, contact:

Hugo Lopez, Director

Child Welfare, Attendance & Records

950 West D Street

Ontario, CA 91762

(909) 418-6477

hugo.lopez@omsd.net



ONTARIO-MONTCLAIR SCHOOL DISTRICT

UCP Annual Notice

2023-2024

For students, employees, parents/guardians, school and district advisory committee members, private school officials, and other interested parties

The *Ontario-Montclair School District* annually notifies its students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of the Uniform Complaint Procedures (UCP) process.

The *Ontario-Montclair School District* is 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.

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

<ul style="list-style-type: none">– Accommodations for Pregnant and Parenting Pupils– After school Education and Safety– Discrimination, harassment, intimidation, or bullying against any protected group as identified under Education Code (EC) Sections 200 & 220 & Government Code Sections 11135, including any actual or perceived characteristic as set for 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 an educational institution, as defined in EC Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.	<ul style="list-style-type: none">– Child Care and Development Programs– Compensatory Education– Consolidated Categorical Aid– Education of Pupils in Foster Care, Pupils who are Homeless, Former Juvenile Court Pupils and Pupils of Military Families and Migrant Students– Every Student Succeeds Act– Local Control Accountability Plans (LCAP)– Physical Education Instructional Minutes– Reasonable Accommodations to a Lactating Pupil– School Plans for Student Achievement– School Safety Plans– School Site Councils– State Preschool– Unlawful Pupil Fees
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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 fees complaint may be filed with the principal of a school or our superintendent or his or her designee. A pupil fees and/or an LCAP complaint may be filed anonymously, however, the complaint must provide evidence or information leading to evidence to support the complaint.

A pupil enrolled in a school in our district shall not be required to pay a pupil fee for participation in an educational activity.

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

We shall post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, and former juvenile court pupils now enrolled in a school district as specified in EC Sections 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Hugo Lopez, Director
Child Welfare, Attendance & Records
950 West "D" Street
Ontario, CA 91762
(909) 418-6477
hugo.lopez@omsd.net

Complaints will be investigated and a written report with a Decision will be sent to the complainant within sixty (60) days from the receipt of the complaint. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with our UCP policies and procedures.

The complainant has a right to appeal our Decision of complaints regarding specific programs and activities subject to the UCP, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

We advise any complainant of civil law remedies, including, but not limited to, 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 Uniform Complaint Procedures process shall be available free of charge at www.omsd.net.



ONTARIO-MONTCLAIR SCHOOL DISTRICT

Office of Child Welfare, Attendance & Records

Parent & Student Rights Regarding Immigration Status

The Ontario-Montclair School District will continue to follow the decision made by the U.S. Supreme Court in *Plyler vs. Doe* 1984 that declared that no child will be denied a public education regardless of immigration status. Schools are also directed to exercise “flexibility” to verify a child’s age and residence. OMSD already directs each school in our District to accept a variety of documentation to enroll new students, when more traditional forms of proof such as birth certificate or baptismal certificate are not available. **Furthermore, school staff cannot ask a student’s immigration status or require that they show evidence that they possess a Social Security number.** In an unlikely case where an ICE official requests records of a student, we are required by the California Department of Education (CDE) to subject them to the same procedures and rules that “any other government official” must follow, which is five business days per our Board Policy.

However, during that period, it is strongly recommended by CDE to immediately contact the parent or guardian to inform them of the request, so that they could produce a court order that would deny ICE access to their child’s records. OMSD also requires all school administrators to not release students to ICE during school hours. Administrators can state that such an act would disrupt school activities and the instructional process. Instead, ICE officials will be directed to the district office to meet with the Superintendent or designee to determine if the ICE official has a subpoena, court order, investigating a crime, or is seeking information related to terrorist activities. Please be advised that a child’s name must be clearly listed in the subpoena or court order for the district to comply with any request. Without any of these reasons, schools according to CDE are not required to allow the agency access to the child. OMSD will continue to assure our parents that we will take every available action to protect their child while in school and release records using established guidelines that apply to the offices of **ALL** governmental agencies.

If you have any questions or concerns, please contact the Office of Child Welfare, Attendance & Records (900) 418-6477.



ONTARIO-MONTCLAIR SCHOOL DISTRICT

Office of Child Welfare, Attendance & Records

Child Abuse and Neglect Reporting

PC 11164 et seq.

The Ontario-Montclair School District is committed to protecting all students in its care. All employees of the district are mandated reporters, required by law to report cases of child abuse and neglect whenever there is reasonable suspicion that abuse or neglect has occurred. District employees may not investigate to confirm a suspicion.

All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (i.e. Police or Sheriff's Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents and guardians of students also have a right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency or the district, by contacting the Child Welfare, Attendance & Records Office at (909) 418-6477.

Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:

1. To stop a disturbance threatening physical injury to people or damage to property
2. For purposes of self-defense
3. To obtain possession of weapons or other dangerous objects within control of a student
4. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning

For additional resources, visit California Department of Education webpage:

<http://www.cde.ca.gov/ls/ss/ap/>



ONTARIO-MONTCLAIR SCHOOL DISTRICT

California Law Regarding Safe Storage of Firearms SB906

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the Ontario-Montclair School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.¹
 - Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.²
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.³
- Finally, a parent or guardian may also be civilly liable for damages resulting from discharge of a firearm by that person's child or ward.⁴

Note: your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

¹ See California Penal Code sections 25100 through 25125 and 25200 through 25220.

² See California Penal Code section 25100(c).

³ See California Civil Code Section 29805.

⁴ See California Civil Code Section 1714.3.



ONTARIO-MONTCLAIR SCHOOL DISTRICT

FERPA NOTIFICATION

The Family Education Rights and Privacy Act (FERPA) affords parents and student who are 18 years of age or older (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days after the Ontario-Montclair School District (“OMSD”) receives a request for access.

Parents or eligible students who wish to inspect their child’s or their education records should submit OMSD a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy right under FERPA.

Parents or eligible students who wish to ask OMSD to amend their child’s or their education records should write OMSD, clearly identify the part of the record they want changed, and specify why it should be changed. If OMSD decides not to amend the record as requested by the parent or eligible student, OMSD will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before OMSD discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to OMSD school official with legitimate educational interests. The criteria for determining who constitutes and OMSD school official and what constitute a legitimate educational interest must be set forth in OMSD’s annual notification for FERPA rights. OMSD’s school official typically includes as person employed by OMSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. An OMSD school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which OMSD would otherwise use its own employees and who is under the direct control of OMSD with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by OMSD to comply with the request of FERPA. The name and address of the Office that administers FERPA is:

**Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202**

Continues next page

The family Educational Rights and Privacy Act (FERPA), a federal law, requires that OMSD, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, OMSD may disclose appropriately designated "directory information" without written consent, unless you have advised OMSD to the contrary in accordance with district procedures. The primary purpose of directory information is to allow OMSD 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 manufacture class rings or publish yearbooks.

In addition, two federal laws require OMSD receiving assistance under Elementary and Secondary Education Act of 1965 (ESEA), as amended, to provide military recruiters, upon request, with student's name, address, and telephone listing, unless parents/guardians have advised OMSD that they do not want their child's information disclosed without their prior written consent. OMSD has designated the following information as directory information:

▪ *Name	▪ Address	▪ Telephone number
▪ Email address	▪ Date of birth	▪ Major field of study
▪ Dates of attendance	▪ Degrees and awards received	▪ Most recent previous school
▪ Participation in officially	▪ Weight and height of athletic team members recognized activities and sports	

OMSD 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 another factor that only the authorized user knows. Your child's social security number will not be used for this purpose.

Directory information does not include your child's citizenship status, immigration status, place of birth or any other information indicating national origin. OMSD will not disclose such information without your consent or a court order.

If you do NOT want OMSD to disclose directory information from your child's education records without your prior written consent, you must notify OMSD by completing the Parent/Guardian Authorization to Release Directory Information Form and return it to OMSD. If you do not sign and return this form, it will be assumed that you have authorized consent for your child's information to be given to representatives of the news media, colleges, prospective employers, nonprofit organizations, and/or military recruiters upon request.

The request to withhold student directory information is applicable only to the current school year.

Ontario-Montclair School District

950 West D Street, Ontario, California 91762 • (909) 459-2500 • FAX: (909) 459-2543
LEARNING & TEACHING DIVISION

BOARD OF TRUSTEES

Sonia Alvarado
Kristen Brake
Sarah S. Galvez
Flora Martinez
Elvia M. Rivas

August 2023

James Q. Hammond, Ed.D.
Superintendent

Tammy Lipschultz
*Assistant Superintendent
Learning & Teaching Division*

Arlene Rodriguez
*Director
English Learners, Plan Development &
Instructional Support*

Notification of Ontario-Montclair School District Language Acquisition Program Options

Dear Parents/guardians:

The Ontario-Montclair School District's Five-Year Plan encourages students to become Multilingual to prepare them to acquire the OMSD Pathway Seal of Biliteracy and enter the California State Seal of Biliteracy Award preparation coursework when they matriculate to Chaffey Joint Union High School District.

Parents or guardians may choose a language acquisition program that best suits their child (EC Section 310). Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible. They provide instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards. All students may participate in this program, but it is mandatory for students identified as English learner. If you are not aware if your child is considered an English learner, please contact your child's school.

We are required to offer, at a minimum, a **Structured English Immersion (SEI)** program option (EC Section 305[a][2]). We also offer Dual-Immersion language acquisition programs in Spanish and Mandarin at selected schools. The following programs are available to students:

Structure English Immersion Program: A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered Designated ELD and provided access to grade level academic subject matter content with Integrated ELD.

Dual-Language Immersion (DLI) Program: A language acquisition program also referred to as **Two-Way Immersion** that provides language learning and academic instruction for native speakers of English and native speakers of another language with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. We have Spanish DLI programs at Central Language Academy and Euclid Elementary School. We have a Mandarin DLI program at Montera Elementary School. Please see OMSD.net for school information.

Schools in which the parents or guardians of 30 students or more per school, or the parents or guardians of 20 students or more in any grade, request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible (20 U.S.C. Section 6312[e][3][A][Viii][III]; EC Section 310[a]). Parents or guardians may provide input regarding language acquisition programs during the development of the Local Control and Accountability Plan (EC Section 52062). If interested in a different program from those listed above, please contact Cristina Espinoza at Cristina.Espinoza@omsd.net to ask about the process.

Arlene Rodriguez

Director
Learning & Teaching Division
English Learners, Plan Development & Instructional Supports

Ontario-Montclair School District

Title IX Notification (Education Code Section 221.61)

The District's Title IX Coordinator
Hugo Lopez, Director
Child Welfare, Attendance & Records

Summary of Student Rights (Education Code Section 221.8)

- a) You have the right to fair and equitable treatment and to be free from discrimination based on your sex.
- b) You have the right to an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- c) You have the right to ask the athletic director of your school about the athletic opportunities offered by the school.
- d) You have the right to apply for athletic scholarships.
- e) You have the right to equitable treatment and benefits in:
 - 1. Equipment and supplies
 - 2. Scheduling of games and practices
 - 3. Transportation and daily allowances
 - 4. Access to tutoring
 - 5. Coaching
 - 6. Locker rooms
 - 7. Practice and competitive facilities
 - 8. Medical and training facilities and services
 - 9. Publicity
- f) You have access to a gender equity coordinator to answer questions about gender equity laws.
- g) You have the right to contact the California Department of Education (CDE) and the California Interscholastic Federation (CIF) for information on gender equity laws.
- h) You have the right to file a confidential discrimination complaint with the United States Office for Civil Rights (OCR) or CDE if you believe you have been discriminated against or received unequal treatment on the basis of your sex.
- i) You have the right to pursue civil remedies if you have been discriminated against.
- j) You have the right to be protected from retaliation if you file a discrimination complaint.

For more information regarding student rights under Title IX, please visit:
<http://www.cde.ca.gov/re/di/eq/genequitytitleix.asp>.

The United States Department of Education Office of Civil Rights at:
<https://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.html>.

The School's Responsibilities:

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in programs and activities of federally funded institutions. School district programs and activities must be operated free from discrimination. Key areas addressed by Title IX include: athletics, sexual misconduct, including sexual harassment and sexual violence, pregnant and parenting students, off-campus activities, recruitment and admission, and employment. Schools must protect against discrimination in these areas. Schools must also prohibit retaliation areas. Schools must also prohibit retaliation against any person for opposing an unlawful practice or policy, or filing, testifying about, or participating in any complaint under Title IX.

For more information about school's responsibilities under Title IX, please visit:

The California Office of Equal Opportunity at
<http://www.cde.ca.gov/re/di/eq/titleixnotification.asp>

The United States Department of Education Office of Civil Rights at
https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html

How to File a Title IX Complaint

Individuals who believe they have been discriminated against in violation of Title IX may file a complaint with the District of the Office for Civil Rights (OCR). If a crime is involved, such as sexual assault, individuals may also file a report with the local police department. A person may pursue one or all of these avenues at the same time. Below is a summary of each process.

A. District Complaint

Title IX complaints may be filed using the district's uniform complaint procedure, Board Policy 5145.3

Time Requirement:

A complaint with the district must be filed within six months of the discrimination occurring or your awareness of the discrimination (5 CCR 4630(b)).

Investigation Procedure:

Upon receipt of any complaint related to a potential Title IX violation, the district will ensure every allegation is investigated promptly, adequately and impartially. The district will also take steps to protect all complainants from retaliation and ensure all parties are treated fairly throughout the district's investigation process. As part of its Title IX obligations, the district also takes steps to prevent recurrence of any sexual violence and remedy discrimination effects on the complaints and others, as appropriate. The district's procedures for investigating a Title IX complaint can be found in our Board Policy Procedures.

Please contact the Title IX Coordinator if you have any questions.

B. OCR Complaint

For information regarding filing a complaint with OCR, please see <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>. OCR provides an online complaint filing system at <https://ocrcas.ed.gov/>.

OCR can also be contacted through the California regional office at:

Office for Civil Rights

U.S. Department of Education
50 United Nations Plaza
Mail Box 1200, Room 1545
San Francisco, CA 94102
Telephone: (415) 486-5555
Email: ocr.sanfrancisco@ed.gov

Time Requirement:

OCR requires that the complaint be filed within 180 calendar days of the discrimination. Please contact OCR, or visit the websites above, if you have any questions or concerns about this time requirement.

Police Report

To file a police report, please contact local law enforcement at:

Ontario Police Department

2500 S. Archibald Ave.
Ontario, CA 91761
Phone: (909) 3995-2001

Montclair Police Department

4870 Arrow Hwy.
Montclair, CA 91763

DISTRICT RULES AND PROCEDURES

SCHOOL DISCIPLINE – EC 35291

A. All Students

1. SUSPENSION-EC 48900

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

- a. (1) Caused, attempted to cause or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense
 - b. Possessed, sold or otherwise furnished a firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or designee of the principal.
 - c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
 - d. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.
 - e. Committed or attempted to commit robbery or extortion.
 - f. Caused or attempted to cause damage to school property or private property.
 - g. Stolen or attempted to steal school property or private property.
 - h. Possessed or used tobacco, or products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
 - i. Committed an obscene act or engaged in habitual vulgarity or profanity.
 - j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
 - l. Knowingly received stolen school property or private property.
 - m. Possessed an imitation firearm. As used in this section “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
 - n. Committed or attempted to commit 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 a 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. Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
 - q. Engaged in, or attempted to engage in hazing. For purposes of this subdivision, “hazing” is any method of initiation or pre-initiation into a pupil organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events
 - r. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - i. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 28900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
 1. Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
 2. Causing a reasonable pupil to experience substantially detrimental effect on his or her physical or mental health.
 3. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
 4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - ii. (A) “Electronic act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, pager, of a communication including, but not limited to, any of the following:
 1. A message, text, sound, or image.
 2. A post on a social network Internet Web site, including but not limited to: a) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (i); b) creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (i). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purposes of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (i). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- B. Notwithstanding paragraph (i) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- iii. “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
 - s. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for the 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:
 - i. While on school grounds;
 - ii. While going to or coming from school;

- iii. During the lunch period whether on or off the campus;
- iv. During, or while going to or coming from, a school sponsored activity.
- t. A pupil who aides or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- u. As used in this section, "school property" includes, but is not limited to electronic files and databases.
- v. For a pupil subject to discipline under this section, a superintendent of the school district may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5.
- w. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise, absent from school activities.

2. EXPULSION

A student may be recommended for expulsion for any of the reasons enumerated in Education Code 48915, and pursuant to the expulsion procedures identified in Education Code 48918 and 48918.5.

B. Attendance of Suspended Child's Parent or Guardian for Portion of School Day-EC 48900.1

Pursuant to board policy, a teacher may require a parent or guardian of a pupil who has been suspended by a teacher pursuant to Section 48910 for either committing an obscene act, engaging in habitual profanity or vulgarity or disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, to attend a portion of a school day in the classroom of his or her child or ward.

C. Sexual Harassment Policy-EC 231.5, 48980(g)

The district will not tolerate sexual harassment by anyone participating in any District program or activity. This includes student-to-student or peer sexual harassment as well as harassment between a student and any District participant. The district takes all complaints of sexual harassment seriously, investigates and addresses identified sexual harassment, and if the investigation results in the determination that sexual harassment has occurred, takes reasonable, immediate corrective action to stop the harassment, eliminate a hostile environment, and prevent future sexual harassment. Alleged pupil sexual harassment in violation of District policy or federal or state law will be handled pursuant to District policy and procedures that can be found online at www.omsd.net.

D. Suspension/Expulsion: Alternative and Other Means of Correction- EC 48900, 48900.5

The district may document other means of correction short of suspension and expulsion and place the documentation in the pupil's record. Other means of correction may include: a conference between school personnel, the pupil's parent or guardian and the pupil; referrals to the school counselor or psychologist; study teams, guidance teams or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-educational assessment; and after-school programs that address specific behavioral issues. For students with disabilities, a manifestation determination must occur within 10 days of the any decision to change the child's placement because of a violation of a code of student conduct (Sección300.53(e)) IDEA 2004.

PUPIL NUTRITION

Commencing in School Year 2022-2023, Ed. Code 49501.5 requires public school districts, county offices of education, and charter schools serving students in grades TK-12 to provide two meals free of charge (breakfast and lunch) during each school day to students requesting a meal, regardless of their free or reduced-price meal eligibility.

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, based on moral objects, and complete an alternative educational project acceptable to the teacher. In order to refrain from participation, a parent or guardian must submit a written note of the objections to participating in an educational project involving the harmful or destructive use of animals.

SPECIAL EDUCATION INFORMATION

PUPILS WITH TEMPORARY DISABILITIES; INDIVIDUAL INSTRUCTION-EC 48206.3, 48207, 48208

Special individual instruction (as distinct from independent study) is available for students with temporary disabilities that make attendance at school impossible or inadvisable. Parents or guardians should first contact the principal to determine services.

DISABLED PUPILS-SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101 *et seq.*) prohibits discrimination on the basis of disability. Section 504 requires school districts to identify and evaluate children with disabilities in order to provide them a free, appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activities, including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, speaking, are eligible to receive services and aids designed to meet their needs as adequately as the needs of nondisabled students are met.

If you have concerns or complaints related to Section 504, you should contact your school site principal and/or District Section 504 Coordinator:

Alana Hughes Hunter
Assistant Superintendent, SELPA & Equity
950 W. D St. Ontario, CA 91762
909-418- 6508

- Screening and evaluation procedures used by the district when there is a reason to believe a student has a disability under Section 504.
- A student has the right to a written accommodation plan if the student qualifies for services under Section 504.
- A student has the right to be educated with nondisabled students to the maximum extent appropriate based on the student's needs.

SPECIAL EDUCATION: CHILD FIND SYSTEM- IDEA; EC 56301

Federal and state law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Any parent suspecting a child has exceptional needs due to a disability may request an assessment for eligibility for special education services through the school principal. For more information about the district's child find policy and procedures please contact the Special Education Office at 909-418-6422.

SPECIAL EDUCATION: COMPLAINTS- EC 56500.2

The district has established an Early Dispute Resolution (EDR) process for parents who believe the rights of their students with disabilities have been violated. Please contact your local school site principal or special education office to obtain an EDR Form. Parents or guardians have a right to file a

written complaint with the school if they believe the school is in violation of federal or state laws governing the identification or placement of special education students, or similar issues. State regulations require the party filing the complaint to forward a copy of the complaint to the local educational agency serving the child at the same time the party files the complaint with the California Department of Education. Procedures are available from your school site principal.

SPECIAL EDUCATION: DUE PROCESS HEARINGS-EC 56502

The State Superintendent is required to develop a model form to assist parents and guardians in filing requests for due process. The model form is available at the Special Education Office (909)418-6422, for parents who wish to initiate a due process hearings relative to special education rights.

SPECIAL EDUCATION: INSPECTION OF RECORDS – EC 56043(n)

Upon request, parents or guardians of children with exceptional needs may examine and receive copies of the student's records within five business days after a request is made and prior to any Individualized Education Program meeting, hearing or resolutions session regarding their child.

ASBESTOS- 40 C.F.R. 763.93

The school district has a current management plan for asbestos containing materials for all district portables. The plan is available for inspection at Operation Office at (909) 459-2500 during normal business hours.

USE OF PESTICIDES- EC 48980.3, 17612

The name of all pesticides products expected to be applied at the school facilities is included in a document in this publication. Persons wishing to be notified in advance of individual pesticide applications may register with the district for that purpose. To register, contact: Operation Office at (909) 459-2500 during normal business hours.

SCHOOL BUS AND PASSENGER SAFETY- EC 39831.5

Bus safety regulations, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zones, and walking to and from school bus stops, can be found in the Transportation Handbook located online at www.omsd.net. From the homepage click on Departments and then Transportation. If you have any questions regarding eligibility requirements or wish to discuss a busing concern, please call the Transportation Department at (909) 930-6766.

WILLIAMS COMPLAINT POLICY AND PROCEDURES- EC 35186

The district has adopted a uniform complaint process to help identify and resolve deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, teacher vacancy or mis-assignment. Notice of the complaint process and the location at which to obtain a complaint form is posted in all classrooms.

NOTICE OF ALTERNATIVE SCHOOLS- EC 58501

"California State law authorizes all school districts to provide for alternative schools. The Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

- a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- b) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may result in whole or in part from a presentation by his teachers of choices of learning projects.
- d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any administrator, parent, pupil, or teacher is interested in further information concerning alternative schools, please contact the OMSD Office of Child Welfare, Attendance & Records at 909-418-6477.

STATEMENT OF NON-DISCRIMINATION (CHANGED TRANSLATION NEEDED)

The Ontario-Montclair School District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

([Board Policy 0410: Nondiscrimination In District Programs And Activities](#))

For inquiries, including how to file a complaint contact:

Hugo Lopez

Equity Compliance Officer & Title IX Coordinator

Director, Child Welfare, Attendance and Records

950 W. D St. Ontario, CA 91762

909-418-6477

HATE-MOTIVATED BEHAVIOR

The Governing Board is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur. The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts. A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal or other staff member.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws for resolution.

ATTENDANCE-EC 48980(h)

A. Residency Requirements-EC 48200 and 48204

Each person between the ages of 6 and 18 years (and not exempted) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she meets any of the following:

- Placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code;
- A pupil who is a foster child who remains in his or her school of origin pursuant to subdivisions (d) and (e) of Section 48853.5.
- A pupil for whom inter-district transfer has been approved;
- An emancipated pupil who resides within the boundaries of the school district;
- A pupil who lives in the home of a care giving adult that is located within the boundaries of the school district;
- A pupil residing in a state hospital located within the boundaries of the school district.
- A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both of the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a minimum of 10 hours during the school week.

B. Statutory Attendance Options

- **Intra-district Choice Policy (EC 35160.5(b)):** Residents of the District may apply to other schools within the school district for their child to attend on a space available basis. For more information, contact: Child Welfare, Attendance & Records at (909)418-6477.
- **Inter-district Attendance (EC 46600):** The parent or guardian of a pupil may seek release from the district to attend a school in any other school district. For more information, contact: Child Welfare, Attendance & Records at (909) 418-6477.

C. Absence for Religious Instruction-EC 46014

Permissive absence may be granted for governing board approved religious exercises or instruction if a pupil has attended at least the minimum school day.

D. Absence for Confidential Medical Services-EC 46010.1

Students in grades 7 to 12 may be excused for the purpose of obtaining confidential medical services without consent of the pupil's parent or guardian.

E. Notification of Minimum Days and Pupil Free Staff Development Day- EC 48980(c)

A schedule of minimum days and pupil-free staff development days will be made available online at www.omsd.net at the beginning of the school year or as early as possible/no later than one month prior.

F. Grade Reduction/ Loss of Academic Credit- EC 48980(j)

No pupil shall have his/her grade reduced or lose academic credit for any excused absence pursuant to EC 48205 for missed assignments/tests that can reasonably be provided / completed.

G. Excused absence; Justifiable personal reasons; Credit: EC 48205; Truancy: EC 48260 et seq.

State law permits students to be absent for justifiable reasons and allows for completion of missed assignments. Students who are absent without valid excuse, and their parents/guardians, may be subject to truancy and/or criminal proceedings under Education Code 48260 *et seq.*

Excused absences:

1. Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
 - a. Due to his or her illness.
 - b. Due to quarantine under the direction of a county or city health officer.
 - c. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
 - d. 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.
 - e. For the purpose of jury duty in the manner provided for by law.
 - f. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
 - g. 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.
 - h. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - i. 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 EC §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.
 - j. A valid excuse may include other reasons that are within the discretion of school administrators, and, based on the pupil's circumstances.
2. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of 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.
3. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
4. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
5. "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except those references therein to "employee" shall be deemed to be references to "pupil."

Truancy:

1. **The first time** a truancy report is issued, the pupil and, as appropriate, the parent or legal guardian, may be requested to attend a meeting with a school counselor or other school's designees to discuss attendance issue and develop plan to improve attendance.

2. **The second time** a truancy report is issued within the same school year the pupil may be given a warning by a peace officer pursuant to Penal Code section 830.1. The pupil may also be assigned to an afterschool or weekend study program located within the same county as the pupil's school.
3. **The third time** a truancy report is issued within the same school year the pupil shall be classified as a habitual truant and may be required to attend an attendance review board or a truancy mediation program pursuant to EC 48263.
4. **The fourth time** truancy is issued within the same school year the pupil may be within jurisdiction of the Juvenile Court that may adjudge the pupil to be a ward of the court pursuant to Welfare and Institutions Code section 601.

SEX EQUITY IN CAREER COUNSELING AND COURSE SELECTION-EC 221.5(d)

Commencing in Grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

SCHOOL ACCREDITATION- EC 35178.4

The District will notify each parent or guardian of a pupil in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school district's or school's Internet Web, or by any combination of these methods.

PUPIL RECORDS; NOTIFICATION OF RIGHTS- 20 U.S.C. 1232(g); EC 49063, 49068, 49069, 49073

Parents and pupils 14 years of age and over that are identified as both homeless and an unaccompanied youth, and individuals who have completed and signed a Caregiver's Authorization Affidavit have rights concerning pupil records under Education Code Section 49063.

These rights include:

- The right to inspect and review the student's education records within five (5) business days of the day the school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will forward requests to the Custodian of Records. The Custodian of Records will make arrangements for access and notify the parent or eligible student of inspected.
- The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, the district shall disclose education records without parental consent.
- When a student moves to a new district, the district will forward the student's records upon the request of the new school district within 10 school days.

If parent/guardian or eligible student consent is given in writing, the district will release the following information to the identified party(ies) in the consent:

- Student's date and place of birth
- Student's major field of study, if any
- Student's participation in district-sponsored or recognized organizations or sports
- Student's dates of attendance in a District program or activity
- Most recent educational institution or program of attendance

"Student Records" do not include:

- Instructional, supervisory or administrative notes by District staff that are made only for that staff member or his/her substitute
- Records of a law enforcement unit that were created for use by the law enforcement unit
- Employee records made for personnel use
- Records of a doctor, psychologist, psychiatrist or other treatment provider and/or assistant regarding a student who is 18 or older or who is attending a postsecondary educational institution. In this case, "treatment" does not include remedial instructional measures.

Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920

AVAILABILITY OF PROSPECTUS- EC 49091.14

Each school site shall create a prospectus which includes the curriculum, including titles, descriptions, and instructional aims of every course offered. The prospectus shall be made available upon request by parent or guardian.

SURVEYS-EC 51513; 20 U.S.C. 1232(h)

The district will notify parents or guardians of the need for their written permission before any test, questionnaire, survey or examination containing any questions about their child's personal beliefs or practices (or the pupil's family's beliefs or practices) in sex, family life, morality and religion, may be administered to any pupil in kindergarten, or grades 1-12, inclusive. Notification will include specific or approximate dates of when any survey containing sensitive, personal information is to be administered and provide an opportunity for parents to opt pupils out of participating in the survey. Upon request, parents or guardians will be given the opportunity to inspect any third-party survey.

PUPIL FEES-EC 49010; AB 1575: Effective March 1, 2013

The district maintains a policy concerning the provision of a free education to pupils and for filing a complaint of noncompliance pursuant to the Uniform Complaint Procedures with the principal of the school alleged to be in noncompliance. More information please see the document in this publication, entitled Uniform Complaint Procedures, or contact the district CWA office.

RIGHTS OF PARENTS OR GUARDIANS TO INFORMATION - EC 51101

Parents/guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

- Within a reasonable period of time following making the request, to observe the classroom or classrooms in which their child is enrolled or for the purpose of selecting the school in which their child will be intra-district or inter-district pupil attendance policies or programs.
- Within a reasonable time of their request, to meet with their child's teacher or teachers and the principal of the school in which their child is enrolled.
- To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher. Although volunteer parents may assist with instruction, primary instructional responsibility shall remain with the teacher. (For volunteer information please contact the school office).
- To be notified on a timely basis if their child is absent from school without permission.
- To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of the school that their child attends on standardized statewide tests.
- To request a particular school for their child, and to receive a response from the school district. This paragraph does not obligate the school district to grant the parent's request.
- To have a school environment for their child that is safe and supportive of learning.
- To examine the curriculum materials of the class or classes in which their child is enrolled.
- To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
- To have access to the school records of their child.
- To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
- To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
- To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
- To participate as a member of a parent advisory committee, school-site council, or site-based management leadership team, in accordance with any rules and regulations governing membership in these organizations. In order to facilitate parental participation, school-site councils are encouraged to schedule a biannual open forum for the purpose of informing parents about current school issues and activities and answering parents' questions.
- To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
- To be notified, as early in the school year as practicable pursuant to EC §48070.5, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child. Parents and guardians of pupils, including those parents and guardians whose primary language is not English, shall have the opportunity to work together in a mutually supportive and respectful partnership with schools, and to help their children succeed in school. Each governing board of a school district shall develop jointly with parents and guardians, and shall adopt, a policy that outlines the manner in which parents or guardians of pupils, school staff, and pupils may share the responsibility for continuing the intellectual, physical, emotional, and social development and well-being of pupils at each school-site.
- The policy shall include, but is not necessarily limited to, the following:
 - The means by which the school and parents or guardians of pupils may help pupils to achieve academic and other standards of the school.
 - A description of the school's responsibility to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all pupils to meet the academic expectations of the school.
 - The manner in which the parents and guardians of pupils may support the learning environment of their children, including, but not limited to, the following:
 - a. Monitoring attendance of their children.
 - b. Ensuring that homework is completed and turned in on a timely basis.
 - c. Participation of the children in extracurricular activities.
 - d. Monitoring and regulating the television viewed by their children.
 - e. Working with their children at home in learning activities that extend learning in the classroom.
 - f. Volunteering in their children's classrooms, or for other activities at the school.
 - g. Participating, as appropriate, in decisions relating to the education of their own child or the total school programs.

STATEWIDE TESTING

NOTIFICATION - Pursuant to 5 CCR § 852, inclusive of the right to exempt pursuant to California Education Code Section 60615:

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? Student in grades 3-8 and grade 11.

What is the test format? The Smart 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.

Which is the test format? The CAST is computer-based.

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

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.

CAASPP: California Spanish Assessment (CSA)

Who takes the test? The CSA is an optional test for students in grades 3-12 that tests their Spanish reading, listening, and writing mechanics.

What is the test format? The CSA is computer-based.

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

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 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 an Alternative 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 Alternative Initial and Alternative Summative ELPAC are computer-based.

Which standards are tested? Alternative 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.

DRESS CODE/GANG APPAREL -EC 35183 Board Policy 5132

The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the education process. Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

Gang-Related Apparel

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

GATE PROGRAMS- EC 52200

The District is committed to the belief that programs for gifted and talented pupils should include the following: 1) Differentiated opportunities for learning commensurate with the gifted and talented pupil's particular abilities and talents; 2) Alternative learning environments in which gifted and talented pupils acquire skills and understanding at advanced ideological and creative levels commensurate with their potential; 3) Elements that help to develop sensitivity and responsibility to others; 4) Elements that help to develop a commitment in gifted and talented pupils to constructive ethical standards; 5) Elements that assist gifted and talented pupils to develop self-generating and problem-solving abilities to expand each pupils' awareness of choices for satisfying contributions in his or her environment; 6) Elements that help gifted and talented pupils develop realistic and healthy self-concepts. These programs shall be planned and organized as an integrated, differentiated experience within the regular school day, and may be augmented or supplemented with other differentiated activities related to the core curriculum.

UNSAFE SCHOOL CHOICE- 5 C.C.R. 11993(k); 20 U.S.C. 7912

Students shall be allowed to attend a safe school. The district shall notify parents or guardians of pupils in elementary and/or secondary schools considered to be "persistently dangerous" pursuant to California Department of Education guidelines and of available options for attendance at a safe school. "Any firearms violations" is an event which must be considered in determining whether a school site is at risk of being classified as persistently dangerous.

SCHOOL ACCOUNTABILITY REPORT CARD-EC 35256, 35258

The School Accountability Report Card provides parents and other interested members of the community a variety of information about the school, its resources, its successes, and the areas where it needs improvement. On or before February 1 of each year, an updated copy of the School Accountability Report Card for each District operated school may be found on each school's homepage, accessible at www.omsd.net. A hard copy will also be provided upon request to any student's parent or guardian from your school site.

COMPREHENSIVE SCHOOL SAFETY PLAN-EC 32286, 32288

Each school is required to develop a school safety plan, which includes a comprehensive disaster preparedness plan. Copies of the school safety plan are available to read at school sites during normal business hours.

DUTY CONCERNING CONDUCT OF PUPILS - EC 44807

All students participating in district programs or activities will comply with district policies, rules and regulations, pursue their studies and obey the valid authority of district staff. Any student who feels another participant is disrupting the student's learning environment is strongly encouraged to report that misconduct to a district staff member. The district staff member will, in turn, report to the designated district staff member in charge of handling student complaints. District staff expects all students enrolled in district programs or activities to conduct themselves in a manner that enriches the educational environment and does not disrupt the learning process. The district believes all students enrolled in district programs or activities should experience a positive learning environment. All students participating in district programs or activities are expected to cooperate by respecting the rights of other participants, which includes the right to a learning environment free from disruptions. Student conduct includes conduct on school grounds, going to and from school and during recess and lunch periods. Every teacher has a duty to hold pupils accountable for their conduct on the way to and from school, and on the playground, or during recess. A teacher, vice principal, principal or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his/her duties, of the same degree or physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning. The district prohibits dangerous objects on campus, such as laser pointers and B.B. guns, unless possession is for valid instructional or other school related purpose.

CHILD ABUSE AND NEGLECT REPORTING- PENAL CODE 11164

District staff is required by law to report cases of child abuse and neglect to the appropriate law enforcement agency when they have a reasonable suspicion that a child has been a victim of child abuse and/ or neglect. Reasonable suspicion does not require certainty that the child abuse and/ or neglect has occurred. The reporting staff member's name and report are confidential. The fact that a child is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

DISRUPTION IN PUBLIC SCHOOL OR MEETING - EC 32210

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

MEGAN'S LAW-PENAL CODE-290

Information about registered sex offenders in California and how to protect their families can be found at <http://meganslaw.ca.gov/>.

LIABILITY OF PARENT OR GUARDIAN FOR WILLFUL PUPIL MISCONDUCT - EC 48904

The parent or guardian of any minor may be held financially liable for the pupil's willful misconduct which results in injury or death to any pupil or person employed or volunteering for the district or injury to real or personal property belonging to the district or a district employee. The parent or guardian of a minor shall be liable to the district for all property belonging to the district loaned to the minor and not returned upon demand of an employee of the district authorized to make the demand. The district shall notify the parent or guardian of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma or transcript pursuant to this Section.

CHILDREN IN HOMELESS SITUATIONS- 42 U.S.C. 11432

The district has appointed a liaison(s) for homeless children, the Director of Health and Wellness Services, who ensures the dissemination of public notice of the educational rights of students in homeless situations. More information can be found online at www.omsd.net. From the district homepage, go to the Department tab and click on OMSD Health & Wellness Services, then click on Homeless Services. Circumstances for eligibility:

1. Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers;
2. Right to education and other services including to participate fully in all school activities and programs for which child is eligible, to qualify automatically for school meal programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment;
3. That no homeless youth shall be required to attend a separate school for homeless children or youth; and
4. That homeless youth shall not be stigmatized by school personnel.

CUSTODY LAW NOTIFICATION

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

VOLUNTEER PROGRAM

The Ontario-Montclair School District has established a volunteer program designed to help parents and other community volunteers become involved on our campuses on a routine or occasional basis. Education is a team effort, and volunteers are a very critical part of the school team. Your involvement on our campuses tells our children that you are concerned, that you value them as people, and that you want to help them succeed and be the best they can be. If you are interested in becoming a volunteer, please contact your child's school for more information.

SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN- EC 35183.5

The district allows for outdoor use of sun-protective clothing and the use of sunscreen by students during the day. More information, please refer to OMSD Board Policy AR 5132. From the district homepage, go to Board of Trustees Tab and then GAMUT online Tab.

RIDING A BIKE TO SCHOOL-VEHICLE CODE 21212

All students who ride bicycles, skateboards, scooters or in-line skates are required to wear a properly fitted helmet at all times.

HEALTH AND WELLNESS

MEDICAL RECORD SHARING -HSC 120440

Medical information may be shared with local health departments and the State Department of Public Health. Any information shared shall be treated as confidential medical information. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; and the student, parent or guardian may refuse to allow this information to be shared in the manner described.

CALIFORNIA HEALTHY YOUTH ACT

SEXUAL HEALTH EDUCATION AND HIV/AIDS PREVENTION-EC 51938, 48980

Students enrolled in district programs or activities may receive instruction in personal health and public safety, which may include drug and alcohol abuse prevention, accident prevention, first aid, fire prevention, conservation of resources, and a comprehensive health education that includes education regarding human development and sexuality, including education on pregnancy, family planning, and sexually transmitted diseases. The written and/or audiovisual educational materials used in a comprehensive sexual health education and HIV prevention education will be available for inspection upon request. Parents will be notified as to whether the curriculum will be taught by school district personnel or by an outside consultant. Parents have the right to excuse their child from the comprehensive sexual education and HIV prevention education. Excusal from the curriculum should be submitted in writing. The excused pupil shall not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent or guardian declines to permit the pupil to receive comprehensive sexual health education or HIV/AIDS prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks. While comprehensive sexual health education, HIV/AIDS prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to pupils whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey. Upon request, a parent or guardian may request and receive a copy of the California Healthy Youth Act, Education Code Sections 51930-51939 More information on this topic, please contact your school site.

IMMUNIZATION AND COMMUNICABLE DISEASES- EC 48216, 49403

The district shall follow all laws, rules, and regulations regarding immunizations required for students to enroll. If a student has not been properly immunized as required, the district reserves the right to temporarily exclude that student from attendance at a district program or activity until the immunization requirements are met.

The following vaccinations are required: diphtheria, pertussis (whooping cough), tetanus, (DTP, DTaP, Tdap) poliomyelitis, measles, mumps, rubella (MMR), hepatitis B, varicella (chickenpox), haemophilus influenza type b, and any other diseases deemed appropriate by the California Department of Public Health. HSC 12033. Upon written parental consent, the district may permit any licensed physician or registered nurse to administer an immunizing agent to a pupil. State law requires that OMSD exclude any student not properly immunized and notify the parent or guardian that they have two weeks to supply evidence that the student has been properly immunized or that the student is medically exempt from the immunization requirements.

Under a new law known as SB277, beginning January, 2016, exemptions based on personal beliefs, including religious beliefs, will no longer be accepted in place of the vaccines that are currently required for entry into child care or school in California. Personal beliefs exemptions on file for a child already attending child care or school will remain valid until the child reaches the next immunization checkpoint at kindergarten (including transitional kindergarten) or 7th grade. HSC 1200335 states that the principal or administrator of each school shall not admit any pupil unless he or she has been fully immunized. The immunization checkpoints have been established at Preschool registration,

TK or Kindergarten registration, and students advancing to the 7th grade. For more detailed information about SB 277, please see the Frequently Asked Questions available at: <http://www.shotsforschool.org/laws/sb277faq/>.

Foster and Homeless Youth Immunizations

Foster youth and homeless children who do not have immunization documentation should be enrolled immediately under federal and state law. (EC Section 48853.5 and 42 USC 11431.)

Foster youth and homeless students are not exempt from immunization requirements and schools must obtain documentation of vaccination or obtaining vaccinations for these students as soon as possible. (HSC 12034.)

Temporary Exclusion for Immunizations

If there is good cause to believe that a child has been exposed to a disease listed in HSC Code Section 120335 and documentary proof of the student's immunization status does not show proof of complete immunization against that disease, that student may be temporarily excluded from school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease.

Exemption from Immunization

Prior to January 1, 2021, an exemption from immunization is authorized when the parent or guardian files a written statement by a licensed physician [M.D. or D.O.] that the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, indicating the specific nature and probable duration of the medical condition or circumstance, including, but not limited to, family medical history, for which the physician does not recommend immunization. A child with a physician statement indicating these specific circumstances is exempt from immunization requirements. A medical exemption may apply if there is a delayed immunization schedule or a modified immunization schedule. (HSC 120370.)

Beginning January 1, 2021, all new medical exemptions for school entry must be issued through CAIR-ME and can only be issued by a licensed physician [M.D. or D.O.] in California. Schools may only accept new medical exemptions from parents/guardians that are issued from CAIR-ME

Please see CDPH website for more information: <https://cair.cdph.ca.gov/exemptions/home>

Immunizations for Independent Study Students

The CDPH has indicated that parents and guardians must continue to provide immunization records of students in independent study programs with no classroom-based instruction to their schools and schools must continue to maintain and report immunizations that have been received. Students are not required to have immunizations if they attend an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunization records for these students to their schools.

MEDICATION- EC 49423

When it is necessary to take prescription medication during school hours, the school is required to have all the appropriate documentation on file before prescription medication may be given at school. The parent, legal guardian or other person having legal control of the student must provide the prescribed medication. In order to ensure the student's safety, it may be necessary for the school nurse to contact the prescribing physician for clarification regarding the medication.

- Prescribed by a United States physician (licensed Nurse Practitioner)
- Issued by a United States pharmacy
- In the original container
- Properly labeled by the pharmacy
- Prescribed for the current school year
- Prescription medication containing codeine or other narcotics are not to be brought to or administer during the school day.
- All prescription medication shall be delivered to the school by the parent or a responsible adult.
- Student shall not carry medication on the school bus and shall not deliver medication to the school.
- It is the responsibility of the parent to see that the prescription medication is picked up from school by a responsible adult at the end of the school year.
- Even the simplest and safest over-the-counter medications can mask symptoms of illness and/or create undesirable reactions, therefore over-the-counter medications also require a prescription. **Even cough drops are considered an over-the-counter medication and must have a prescription.**

CONTINUING MEDICATION REGIMEN-EC 49480

The parent or legal guardian of any pupil on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other contact person of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the 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.

Diabetes Self-Testing and Monitoring of Blood Glucose Levels – EC 49414.5

A student who can self-test and monitor blood glucose requires written request from the parent and physician. One or more OMSD employees may be trained to administer emergency medical assistance to a student with diabetes.

Criteria for Self-Administration

A student who requires medication at school may carry and self-administer emergency medication under the supervision of OMSD staff, if the student meets the following conditions:

1. The student is physically, mentally, and behaviorally capable, in the written opinion of the parent/guardian, physician, and designated OMSD staff, to assume the responsibility.
2. The student demonstrates self-administration to the school nurse or trained designated OMSD staff.

Disposal of Unused Medications

If the medication for a student change during the school year, the remaining medication shall be given to the parent/guardian at the time the new medication is delivered. Medications not claimed and retrieved by the parent/guardian at the end of the school year shall be discarded in accordance with recommendations by the local health officer and OSHA guidelines.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS-EC 49471, 49472

The district does not provide medical or hospital services through non-profit membership corporations or insurance policies for pupil injuries arising out of school-related activities. If the district does not provide medical or hospital services for such a purpose: The district will notify each parent or guardian of each pupil participating in athletic activities that such medical or hospital services are not provided.

Absences for Confidential Medical Services – EC 46010.1

School authorities may excuse any pupil in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardians. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment. district policy regarding excusing such absences is available upon request.

Entrance Health Screening – HSC 124085, 124100, and 124105

State law requires that the parent or legal guardian of each pupil provide the school within 90 days after entrance to first grade document proof that the pupil has received a health screening examination by a doctor within the prior 18 months. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available for eligible students through the Child Health Disabilities Prevention Program.

PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT-EC 49451

A parent or guardian may, by written statement filed annually, refuse to consent to the physical examination of his/her child; however, a child may be sent home if, for good reasons, he or she is believed to be suffering from a recognized contagious or infectious disease. Note: Physical examinations that schools are required to conduct include sight and hearing testing under EC 49452 and scoliosis screening under EC 49452.5. Schools may screen for type 2 diabetes mellitus under EC 49452.7. As indicated in EC 49451 and 20 USC 1232h, a parent or guardian may file a waiver of the examination requirement based on personal belief. [EC 49451].

VISION and HEARING APPRAISAL EC 49455, EC 49452

The district is required to appraise each student's vision during kindergarten, upon initial enrollment, and in grades K, 2, 5, and 8. The vision test will include tests for visual acuity, including near vision. Male students will also be tested once for color vision in grade 1 or later and the results of the test shall be entered in the student's health records. Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. The evaluation may be waived upon presentation of a certificate from a physician, surgeon, physician's assistant, or optometrist setting out the results of a determination of the student's vision, including visual acuity and color vision.

CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM- HSC 124085, 124105

Before a child enters Transitional Kindergarten or Kindergarten, his or her parents must obtain a health screening or waiver for the child and complete the provided certificate or sign a waiver. The screening should take place before the kindergarten year. Parents are encouraged to obtain health screening simultaneously with required immunizations. Parents may inquire in the school office about free health screenings for low-income children provided under the Child Health and Disabilities Prevention Program.

PUPIL HEALTH- ORAL HEALTH ASSESSMENT- EC 49452.8

Record of a dental assessment done by a dental professional is required for all kindergarteners and first grades attending public school for the first time. By no later than May 31st of each school year, pupils when first enrolled in public school are required to provide proof of an oral health assessment (conducted within 12 months prior to enrollment) by a licensed dentist or other licensed or registered dental health professional or provide written notice why an oral health assessment by a licensed dentist or other registered dental health professional cannot be completed.

SPECIALIZED PHYSICAL HEALTH CARE SERVICES - EC 49423.5

Trained designated personnel provide specialized health care services. These are health services prescribed by the student's licensed authorized health care provider requiring medically related training for the individual who performs the services, and which are necessary during the school day to enable the student to attend school. These services include catheterization, gastric tube feeding, suctioning, or other services that require medically related training under the supervision of a school nurse, public health nurse or licensed physician

TYPE 1 DIABETES – EC 49452.6

California Education Code Section 49452.6 requires schools to provide information regarding type 1 diabetes to parents and guardians of seventh grade students.

Description: Type 1 diabetes is not a childhood disease; it occurs at every age.

- Type 1 diabetes affects the way the body is able to use sugar (glucose) for energy.
- The body turns carbohydrates in food into glucose, the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
- In type 1 diabetes, the pancreas does not produce insulin.

Risk Factors Associated with Type 1 Diabetes

- Family history. Anyone with a parent or sibling with type 1 diabetes has a slightly increased risk of developing the condition.
- Genetics. The presence of certain genes indicates an increased risk of developing type 1 diabetes.
- Age. Although type 1 diabetes can appear at any age, it appears at two noticeable peaks. The first peak occurs in children between 4 and 7 years old, and the second is in children between 10 and 14 years old.

Warning Signs and Symptoms Associated with Type 1 Diabetes

The onset of symptoms can be very sudden in people with type 1 diabetes. Symptoms sometimes occur after a viral illness.

- Urinating often
- Feeling very thirsty
- Feeling very hungry—even though you are eating
- Extreme fatigue
- Blurry vision
- Cuts/bruises that are slow to heal
- Weight loss—even though you are eating more

Type 1 Diabetes Treatments, Prevention Methods and Management

- Insulin. Everyone with type 1 diabetes must take insulin every day. It lowers blood sugar by allowing it to leave the blood and enter the cells. Your provider will choose the best type of insulin and at what time of day to use it.
- There is no known way to prevent type 1 diabetes. There are healthy lifestyle choices that can help manage type 1 diabetes.
- Managing blood sugar. Checking blood sugar levels and writing down the results can indicate how well the diabetes is managed. Managing blood sugar levels can also help prevent possible future complications.
- Healthy eating and exercise. Make wise food choices. Eat foods low in fat and calories. Increase physical activity to at least 60 minutes per day.

Types of Diabetes Screening Tests that are Available: See below same tests available as Type 2 Diabetes

Guidance provided in this information sheet is intended to raise awareness of diabetes.

TYPE 2 DIABETES – EC 49452.7

California Education Code Section 49452.7 requires schools to provide information regarding type 2 diabetes to parents and guardians of seventh grade students. The information below was developed by the California Department of Education (CDE) in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children's Hospital of Orange County.

Description: Type 2 diabetes is the most common form of diabetes in adults.

- Until a few years ago, type 2 diabetes was rare in children. It is becoming more common, especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American Children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

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

Risk Factors Associated with Type 2 Diabetes

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease. Researchers do not completely understand why some people develop type 2 diabetes and other do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

- **Being overweight.** The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double, that an overweight child will develop diabetes.
- **Family history of diabetes.** Many affected children have at least one parent with diabetes or have a significant family history of the disease.
- **Inactivity.** Being inactive further reduces the body's ability to respond to insulin.
- **Specific racial/ethnic groups.** Native Americans, African Americans, Hispanic/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- **Puberty.** Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

Warning Signs and Symptoms Associated with Type 2 Diabetes

Warning sign and symptoms of type 2 diabetes in children develop slowly and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs and not everyone who has these symptoms necessarily has type 2 diabetes.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fat levels

Type 2 Diabetes Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

- **Eat healthy foods.** Make wise food choices. Eat foods low in fat and calories.
- **Get more physical activity.** Increase physical activity to at least 60 minutes every day.
- **Take medication.** If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.
- **The first step in treating type 2 diabetes is to visit a doctor.** A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request test of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

Types of Diabetes Screening Tests That Are Available

- **Glycated hemoglobin (A1C) test.** A blood test measures the average blood sugar level over two to three months. An A1C levels of 6.5 percent or higher on two separate tests indicate diabetes.
- **Random (non-fasting) blood sugar test.** A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggest diabetes. This test must be confirmed with a fasting blood glucose test.
- **Fasting blood sugar test.** A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- **Oral glucose tolerance test.** A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Type 2 diabetes in children is a preventable/treatable disease. Guidance provided in this information sheet is intended to raise awareness of diabetes. For concerns or further information, contact your District Nurse by calling (909) 459-2500 ext. 6428.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)

Effective July 1, 2019, Ontario-Montclair School District will install Automated External Defibrillators (AEDs) in all of our school buildings. Assembly Bill 2009 requires that if a District or charter school elects to offer any interscholastic athletic program, the district or charter school shall acquire at least one AED for each school within the school District or the charter school.

An AED is used for sudden cardiac arrest. The AEDs will be strategically placed at each site and readily accessible to predetermined AED users to maximize rapid use. Each site will have a trained response team that will be CPR and AED certified. The AED will be available during school hours and after school during on-site school activities. The safety of your children while they are in our care is paramount to us.

CRUTCHES

Students who require the use of crutches and/or orthopedic devices should report to the school nurse following the injury and/or upon returning to school following a surgical procedure. A note from the physician will be required to use crutches or any other medical appliance on campus. The use of crutches requires physician authorization, including: Affirmation of appropriate training, fitting and use of crutches, the length of time crutches will be necessary at school, instructions for icing and/or elevation, the student will not be permitted to participate in physical education or recess activities without physician's release. The school nurse and parent/guardian will work together to determine any additional accommodations for the student requiring crutches. Example might include a buddy system, early classroom dismissal, assistance with books, assistance in the hallways, between classes, premium classroom seating, help in the cafeteria meals, using the Health Office restroom.

Any child who arrives at school on crutches without a doctor's order will be sent home. This is to insure they are used for the right reasons, and have been custom fitted for your child. Improperly fitted crutches can lead to nerve damage in the arm pit (axilla) area.

Concussion and Head Injuries EC 49475

A concussion is a brain injury that can be caused by a bump, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Eric Paredes Sudden Cardiac Arrest Prevention Act

AB 1639 requires that parents be provided an information sheet on sudden cardiac arrest symptoms and warning signs each school year before the pupil participates in an athletic activity. Parents must acknowledge that they received this information. The bill requires an athletic director, coach, athletic trainer, or authorized person to remove from participation a pupil who passes out or faints while participating in or immediately following an athletic activity.

PHYSICAL EDUCATION EXCUSES

Students may be excused from physical education, for health or medical reasons, for a maximum of three days within a school year requires a note from a parent. Excuses for more than three days require a note from a professional healthcare provider. If a student is unable to participate in physical education class, he/she will not be permitted to participate in recess activities. Conversely, if a student comes to school with a splint, ace wrap, foot boot, knee brace or cast on an extremity, the student will not be permitted to participate in physical education or recess activities without a physician's release. Any student with a permanent or long-term disability, requiring non-participation in the physical education program or

participation on a limited basis only, must submit the Modified Physical Education or Daily Recess Restriction form annually, signed by a physician. The Modified Physical Education or Daily Recess Restrictions form is available from the school site and must be completed by the doctor. Alternative activities and/or units or instruction for students whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents their participation in physical education courses will be provided.

HEAD LICE (Pediculosis)

Based upon specialized training and the professional judgment of the school nurse and health assistant, students with live lice or signs of active infestation will be excluded from school. These students should receive prompt treatment for lice and are expected to return to school the following day, free of live organisms. Upon return to school, the student and parent/guardian must report directly to the school nurse, provide information about the treatment utilized and have the student's hair checked before reporting to class. Parents should check their child weekly for head lice. If you discover head lice on your child, please notify the health office as soon as possible. Your school site health office can provide resources and detailed instructions to guide your success. An informational letter about lice can be sent home anonymously with the classmates, explaining to other parents what to watch for. Prevention is key! Check your child's head regularly. Keep long hair in braids or in a pony-tail. Do not share hats, hair brushes, combs, hair ties, or bicycle helmets.

AB 367: FEMININE HYGIENE PRODUCTS; PUBLIC SCHOOL RESTROOMS - Education Code Section 35292.6

On or before the start of the 2022-23 school year, a public school, including a school operated by a school district, county office of education, or chart school, maintaining any combination of classes from grades 6-12, inclusive, shall stock the school restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom. Menstrual products mean menstrual pads and tampons for use in connection with the menstrual cycle to be available for pupils at no cost

Emergency Treatment for Anaphylaxis EC 49414

Parents/guardians shall be responsible for notifying the Principal/ school nurse or designee, in writing, regarding any life-threatening allergies. Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness. It is estimated that approximately 25% of the anaphylactic reactions occur during school hours to students who had not previously been diagnosed with a food or other allergy. Without immediate administration of epinephrine followed by calling emergency medical services, death can occur. Being able to recognize and treat it quickly can save lives. As such, the district provides emergency epinephrine auto-injectors to school nurses and trained personnel who may use the epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering from an anaphylactic reaction, regardless of known history.

Emergency Medical Assistance at School EC 49472; FC 6550; (BP 5141)

Whenever a student requires emergency or urgent medical treatment while at school or a school-sponsored activity, the principal or designee shall contact the parent/guardian or other person identified on the emergency card in order to obtain consent for the medical treatment. If the student's parent/guardian or other contact person cannot be reached to provide consent, the principal may seek reasonable medical treatment for the student as needed, unless the parent/guardian has previously filed with the district a written objection to any medical treatment other than first aid. Any person 18 years of age and older who files with the district a completed caregiver's authorization affidavit for a minor student shall have the right to consent to or refuse school-related medical care on behalf of the student. The caregiver's authorization shall be invalid if the district receives notice from the caregiver that the minor student is no longer living with the caregiver. The caregiver's consent to medical care shall be superseded by any contravening decision of the parent/guardian or other person having legal custody of the student, provided that this contravening decision does not jeopardize the student's life, health, or safety. Parents/guardians are responsible for updating their student's emergency card as information changes during the school year. It is also important to include and update all information regarding the student's health needs (health conditions and/or medications). Any confidential health information provided to the school shall only be disclosed at the discretion of the principal to staff who have legitimate educational interest

LEA Medi-Cal Billing Option Program

The Ontario-Montclair School District, in cooperation with the California Departments of Health Care Services and Education, participates in a program that allows the district to be reimbursed with federal Medicaid dollars for select health services (such as health assessments including hearing and vision testing, nursing services, speech and language services, mental health services, occupational/physical therapy) provided to enrolled Medi-Cal students at school. This is a separate fund set aside for school districts to be reimbursed for Medi-Cal eligible services provided at school, to recover some of the funds expended by the school district to provide these services, and does not affect a student's individual Medi-Cal status or benefits. Any personally identifiable information from an eligible student's education records, such as name, date of birth, select related data from the student's IEP, and information from health-related services provided at school may be forwarded to the Department of Health Care Services (DHCS), to access eligible public benefits (Medi-Cal) through the Local Educational Agency (LEA) Billing Option Program. All information that is shared is encrypted and transmitted securely.

Parents/guardians will be requested to initial to indicate consent choice at an IEP meeting, during enrollment, or when completing physician authorization forms for specialized healthcare services. School health services currently provided to all students will not be changed by this program. Parents/guardians may provide consent through the school registration paperwork process and/or during the IEP development and review process, and have the right to withdraw consent to disclose this health services related student information at any time. Students will not be denied services they require to attend school, and parents/guardians will never be billed by the district for services, regardless of consent or non-consent. If students who are enrolled in Medi-Cal are also covered by a third-party insurer (private insurance), DHCS retains the right to attempt to recover third-party liability from the private insurance if Medi-Cal pays a school-based claim. Parents/guardians may receive an Explanation of Benefits (EOB) from their private insurance, indicating payment has been made to reimburse Medi-Cal, or a denial letter if not covered, but will never be billed for health services provided at school.

Inclement Weather High temperatures occur frequently in the Inland Empire

It is important to avoid prolonged exposure to high temperatures and high relative humidity, as symptoms of heat-related illness can quickly escalate into an emergency situation. Muscle cramping, heat exhaustion, and heat stroke are conditions caused by overexposure to heat. Drinking plenty of water, wearing loose clothing, and avoiding strenuous activities involving direct sun-exposure can help to minimize the risk. For safety reasons, no glass bottles or frozen plastic water bottles are allowed on school campuses.

Sun Protective Clothing/Use of Sunscreen EC 35183.5

Each school site shall allow for outdoor use during the school day, articles of sun protective clothing, including but not limited to hats. The law provides for use of sunscreen by students, during the school day, without a physician's note or prescription and authorized sites to establish a policy regarding use of sunscreen.

Food Allergies/Special Dietary Needs

There are students who have special dietary needs and/or are allergic to certain foods or ingredients (e.g., peanuts, tree nuts, wheat, milk, etc.). When exposed to an allergen, affected students may experience shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. Students will not be excluded from school activities nor otherwise discriminated against, harassed, intimidated, or bullied because of their food allergy.

Please help keep all of students safe and healthy at school by keeping in mind the following: 1. Parents/guardians are responsible for notifying the principal or school nurse, in writing, regarding their child's food allergies or other special dietary needs. 2. When a student's food allergy or food intolerance substantially limits one or more major life activities, he/she may be evaluated to determine if accommodations pursuant to Section 504 are required. 3. School lunch meals make dietary accommodations for students who have a medically certified disability that is verified by a medical statement. 4. Each school site has designated allergen-free area(s) to ensure students with allergies are safe. 5. Students should not share or exchange meals or utensils with other students. 6. Without identifying the student, the principal or teacher may notify parents/guardians of other students in the class that a student is allergic to a specific food and may request that certain foods not be provided at class parties or other school events. 7. Parents/guardians are encouraged to bring non-food items, such as stickers or pencils, for school celebrations in lieu of food items which present a challenge for students with food allergies. 8. When sending food for others to consume, do not send any foods that do not have food labels.

Health Care Coverage – EC 49452.9

Your child and family may be eligible for free or low-cost health coverage. For information about health care coverage options and enrollment assistance go to www.CoveredCA.com. Additionally, California law allows all low-income children under 19 years old, regardless of immigration status, to enroll in Medi-Cal at any time in the year. Families can apply in person at their local county human services office, over the phone, online, with a mail-in application, or at a local health center.

COVID-19 Youth Health Information – EC 33477.3 and EC 33477.9

Assembly Bill 856 requires information and guidelines regarding the safe return of students to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for COVID-19 are made available. This applies to recreational activity, physical education (PE) in school, and school or community sports teams. Guidelines follow the American Academy of Pediatrics (AAP) recommendations.

Medical Consult. The doctor can advise how long a student needs to wait before returning to exercise or sports based on how severe their COVID-19 symptoms are. When a student showing signs or symptoms of COVID-19 or who has tested positive for COVID-19 within the prior six months consults with their medical provider, the student will learn if they need:

- An in-person medical examination prior to return to P.E., exercise or sports activities
- A review of the 14-point pre-participation screening evaluation (sports physical)
- Additional cardiac testing, such as an EKG and referral to a pediatric cardiologist

Gradual Return to Play Protocols. Once cleared, a student can start a gradual return to physical activity. Their medical provider will recommend a schedule based on the student's age and the severity of their COVID-19 symptoms. The "gradual" time frame varies by days or weeks (for mild and moderate cases) to months (for severe cases). Monitor for the following symptoms and report any to a provider for further evaluation:

- Dizziness
- Fainting
- Difficulty breathing
- Decreased exercise tolerance
- Chest pain/pressure

Severity of COVID-19 Symptoms

No Symptoms/Mild Symptoms

- No symptoms
- Fever 100.4+ for 1-3 days
- Shortness of breath
- Cough
- Chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

Moderate Symptoms

- Same symptoms as mildly symptomatic
- A week or more of muscle aches, chills, or fatigue, or a non-ICU hospital stay
- Fever for four or more days

Severe Symptoms

- Any hospitalization
- ICU stay and/or intubation
- MIS-C (multisystem inflammatory system in children)

This law is effective immediately, but will become inoperative on July 1, 2024, and, as of January 1, 2025, is repealed

Electronic Nicotine Delivery Systems (e-cigarettes) EC Section 48901

OMSD prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all district property and in district vehicles at all times. ENDS are often made to look like cigarettes, cigars, and pipes, but can also be made to look like everyday items such as pens, asthma inhalers, and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin. Section 119405 of the Health and Safety Code prohibits the sales of e-cigarettes to minors, which means that students should not be in possession of any such devices. Students using, in possession of, or offering, arranging or negotiating to sell ENDS can be subject to disciplinary action, particularly because ENDS are considered drug paraphernalia, as defined by 11014.5 of the Health and Safety Code. For staff and visitors, Health and Safety Code (HSC) sections 104420 and 104559 prohibits the use of nicotine delivery devices.

CONTROLLED SUBSTANCES: OPIOIDS – ED 49476

School authorities must provide facts regarding the risks and side effects of opioid use each school year to athletes. Parents and student athletes must sign acknowledgement of receipt of the document annually.

EXCUSE TO OBTAIN CONFIDENTIAL MEDICAL SERVICES (EC §46010.1): Pupils in grades 7 and 8 may be excused from school for the purpose of obtaining confidential medical services, without the consent of the pupil's parent/guardian.

Ontario-Montclair School District

Child Welfare, Attendance & Records

Board Policies

We ask that you take time to review the following District Policies as they relate to:

- Married/Pregnant/Parenting Students
- Firearms on School Grounds
- Bullying
- Parent Involvement
- Sexual Harassment
- Non-Discrimination
- Suicide Prevention

Contact the Office of Child Welfare, Attendance & Records
if you have any questions regarding the policies (909) 418-6477

Ontario-Montclair SD Board Policy

Married/Pregnant/Parenting Students

BP 5146 Students

The Board of Trustees recognizes that responsibilities related to marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 6011 - Academic Standards)
(cf. 6164.5 - Student Success Teams)

The district shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. In addition, the district shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (Education Code 221.51, 230; 5 CCR 4950; 34 CFR 106.40)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available to them under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

(cf. 5145.6 - Parental Notifications)

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.

(cf. 6158 - Independent Study)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6184 - Continuation Education)
(cf. 6200 - Adult Education)

Any alternative education program, activity, or course that is offered separately to pregnant or parenting students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR 4950)

If required for students with other temporary disabling condition, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the regular education program or activity. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)

(cf. 6142.7 - Physical Education and Activity)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6183 - Home and Hospital Instruction)

To the extent feasible, the district shall provide educational and related support services, either directly or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

(cf. 5148 - Child Care and Development)

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)

4. Health care services, including prenatal care

(cf. 5141.6 - School Health Services)

5. Tobacco, alcohol, and/or drug prevention and intervention services

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)

6. Academic and personal counseling

(cf. 6164.2 - Guidance/Counseling Services)

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. 6179 - Supplemental Instruction)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

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

Absences

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

(cf. 5113 - Absences and Excuses)

Parental Leave

A pregnant or parenting student shall be entitled to eight weeks of parental leave in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician. (Education Code 46015; 34 CFR 106.40)

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. No student shall be required to take all or part of the parental leave. (Education Code 46015)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A pregnant or parenting student shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

(cf. 5113.11 - Attendance Supervision)

Following the leave, a pregnant or parenting student may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

Accommodations

When necessary, the district shall provide accommodations to enable a pregnant or parenting student to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR 106.40)

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222)

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

Any complaint alleging discrimination on the basis of pregnancy or marital or parental status, district noncompliance with the requirements of Education Code 46015, or district noncompliance with the requirement to provide reasonable accommodations for lactating students shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222, 46015; 5 CCR 4600-4670)

(cf. 1312.3 - Uniform Complaint Procedures)

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on student participation in district programs and services, academic achievement, school attendance, graduation rate,

and/or student feedback on district programs and services.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

221.51 Nondiscrimination; married, pregnant, and parenting students

222 Reasonable accommodations; lactating students

222.5 Pregnant and parenting students, notification of rights

230 Sex discrimination

8200-8498 Child Care and Development Services Act

46015 Parental leave

48205 Excused absences

48206.3 Temporary disability, definition

48220 Compulsory education requirement

48410 Persons exempted from continuation classes

48980 Parental notifications

49553 Nutrition supplements for pregnant/lactating students

51220.5 Parenting skills and education

51745 Independent study

52610.5 Enrollment of pregnant and parenting students in adult education

CIVIL CODE

51 Unruh Civil Rights Act

FAMILY CODE

7002 Description of emancipated minor

HEALTH AND SAFETY CODE

104460 Tobacco prevention services for pregnant and

parenting students

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4950 Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General licensing requirements for child care centers

101351-101439.1 Infant care centers

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Education Act Amendments

UNITED STATES CODE, TITLE 42

1786 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7

246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34

106.40 Marital or parental status

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 168 (2004)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997)

16 Cal.4th 307

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS

Pregnant Students and Confidential Medical Services, 2013

Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements, 2012

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

California Women's Law Center: <http://www.cwlc.org>

U.S. Department of Agriculture, Women, Infants, and Children Program: <http://www.fns.usda.gov/wic>

U.S. Department of Education: <http://www.ed.gov>

The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT
adopted: February 7, 2019 Ontario, California

Ontario-Montclair SD

Board Policy

Firearms on School Grounds

BP 3515.7

Grounds

Business and Non-Instructional Operations

The Board of Trustees is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement and other appropriate individuals and agencies to address the security of school campuses.

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3515.3 - District Police/Security Department)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under the limited circumstances specified in Penal Code 626.9. *School grounds* include, but are not limited to, school buildings, fields, storage areas, and parking lots. (Penal Code 626.9) If a district employee observes or suspects that any unauthorized person is in possession of a firearm on or near school grounds or at a school activity, he/she shall immediately notify the principal or designee and law enforcement.

The prohibition against the possession of firearms on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

Legal Reference:

EDUCATION CODE

32281 Comprehensive safety plan

38001.5 District security officers; requirements if carry firearm

PENAL CODE

626.9 Gun Free School Zone Act

830.32 District police department; district decision to authorize carrying of firearm

16150 Definition of ammunition

16520 Definition of firearm

26150-26225 Concealed weapons permit

30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 18

921 Definitions, firearms and ammunition

922 Firearms, unlawful acts

923 Firearm licensing

UNITED STATES CODE, TITLE 20

7961 Gun-Free Schools Act; student expulsions for possession of firearm

Policy CSBA MANUAL MAINTENANCE SERVICE

Adopted: April 19, 2018

Ontario-Montclair SD

Board Policy

Bullying

BP 5131.2

Students

The Board of Trustees recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

- (cf. 5131 - Conduct)
- (cf. 5136 - Gangs)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

- (cf. 1220 - Citizen Advisory Committees)
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
- (cf. 6020 - Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

- (cf. 0420 - School Plans/Site Councils)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 0460 - Local Control and Accountability Plan)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

- (cf. 1312.3 - Uniform Complaint Procedures)

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another

school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intra-district or inter-district transfer, as applicable.

- (cf. 5116.1 – Intra-district Open Enrollment)
- (cf. 5117 – Inter-district Attendance)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

- (cf. 4118 - Dismissal/Suspension/Disciplinary Action)
- (cf. 4119.21/4219.21/4319.21 - Professional Standards)
- (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

- 200-262.4 Prohibition of discrimination
- 32282 Comprehensive safety plan
- 32283.5 Bullying; online training
- 35181 Governing board policy on responsibilities of students
- 35291-35291.5 Rules
- 46600 Student transfers
- 48900-48925 Suspension or expulsion
- 48985 Translation of notices
- 52060-52077 Local control and accountability plan

PENAL CODE

- 422.55 Definition of hate crime
- 647 Use of camera or other instrument to invade person's privacy; misdemeanor
- 647.7 Use of camera or other instrument to invade person's privacy; punishment
- 653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

- 4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

- 254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

- 35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

- 104.7 Designation of responsible employee for Section 504
- 106.8 Designation of responsible employee for Title IX
- 110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

- Wynar v. Douglas County School District, (2013) 728 F.3d

1062

- J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

- Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

California Office of the Attorney General: <http://oag.ca.gov>

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <https://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

National School Safety Center: <http://www.schoolsafety.us>

Partnership for Children and Youth: <https://www.partnerforchildren.org>

U.S. Department of Education: <http://www.ed.gov>

ONTARIO-MONTCLAIR SCHOOL DISTRICT
adopted: February 6, 2020

Ontario, California

Ontario-Montclair SD

Board Policy

Parent Involvement

BP 6020 Instruction

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with parents/guardians and family members to jointly develop and agree upon policy and strategies to meaningfully involve parents/guardians and family members in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 - Parent Rights and Responsibilities)

The district's local control and accountability plan (LCAP) shall include goals and strategies for parent/guardian involvement and family engagement, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

(cf. 0460 - Local Control and Accountability Plan)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

(cf. 0500 - Accountability)

Title I Schools

The Superintendent or designee shall involve parents/guardians and family members in establishing district expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that

describe how the district will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members. (Education Code 11503; 20 USC 6318)

(cf. 6171 - Title I Programs)

When the district's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631. The Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how the district's Title I funds will be allotted for parent/guardian and family engagement activities. (20 USC 6318)

(cf. 3100 - Budget)

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following: (20 USC 6318)

1.Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members

2.Support for programs that reach parents/guardians and family members at home, in the community, and at school

3.Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members

4.Collaboration, or the provision of subgrants to schools to enable collaboration, with community-based or other organizations or employers with a record of success in improving and increasing parent/guardian and family engagement

5.Any other activities and strategies that the district determines are appropriate and consistent with this policy

If the district also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV. (20 USC 6318)

The district's Board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the district's LCAP in accordance with 20 USC 6312. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

District and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference:

EDUCATION CODE

11500-11505 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

52060-52077 Local control and accountability plan

54444.1-54444.2 Parent advisory councils, services to migrant children

56190-56194 Community advisory committee, special education

64001 School plan for student achievement, consolidated application programs

LABOR CODE

230.8 Time off to visit child's school

CODE OF REGULATIONS, TITLE 5

18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

6311 State plan

6312 Local educational agency plan

6314 Schoolwide programs

6318 Parent and family engagement

6631 Teacher and school leader incentive program, purposes and definitions

7241-7246 Family engagement in education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Title I School-Level Parental Involvement Policy

Family Engagement Framework: A Tool for California School Districts, 2014

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Parental Involvement: Title I, Part A, Non-Regulatory Guidance, April 23, 2004

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Family, School, Community Partnerships: <http://www.cde.ca.gov/ls/pf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National PTA: <http://www.pta.org>

Parent Information and Resource Centers: <http://www.pirc-info.net>

Parents as Teachers National Center:

<http://www.parentsasteachers.org>

U.S. Department of Education: <http://www.ed.gov>

(8/06 10/17) 5/20

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT

adopted: April 11, 2023 Ontario, California

Ontario-Montclair SD

Board Policy

Sexual Harassment

BP 5145.7

Students

The Board of Trustees is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

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

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

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary

concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved

5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students

6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues

8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

Complaint Process and Disciplinary Actions

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

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

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Board of Trustees to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT
adopted: January 19, 2017 Ontario, California

Ontario-Montclair SD

Board Policy

Nondiscrimination/Harassment

BP 5145.3

Students

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

The Board of Trustees desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

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

more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

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

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

The Board also prohibits any form of retaliation

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

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

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

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
49060-49079 Student records
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials
CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
104.8 Notice
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Prohibition of discrimination based on age
COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, March 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Resolution Agreement Between the Arcadia Unified School District, U.S. Department of Education, Office for Civil Rights, and the U.S. Department of Justice, Civil Rights Division, (2013) OCR 09-12-1020, DOJ 169-12C-70

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, Fact Sheet, August 2010

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2003

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California Office of the Attorney General: <http://oag.ca.gov>

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT
adopted: October 1, 2020 Ontario, California

Ontario-Montclair SD

Board Policy

Suicide Prevention

BP 5141.52

Students

The Board of Trustees recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention.

In developing policy and strategies for suicide prevention and intervention, the Superintendent or designee shall consult with school and community stakeholders such as administrators, other staff, parents/guardians, and students; school-employed mental health professionals such as school counselors, school psychologists, school social workers, and school nurses; suicide prevention experts such as local health agencies, mental health professionals, and community organizations; law enforcement; and, in developing policy for grades K-6, the county mental health plan. (Education Code 215)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)

Measures and strategies for suicide prevention, intervention, and postvention shall include, but are not limited to:

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students, as described in the accompanying administrative regulation
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others
(cf. 6142.8 - Comprehensive Health Education)
3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
4. The provision of information to parents/guardians regarding risk factors and warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis
5. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
6. Crisis intervention procedures for addressing suicide threats or attempts
7. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning. (Education Code 215)

If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215)

(cf. 5141.6 - School Health Services)

District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code 215)

The Board shall review, and update as necessary, this policy at least every five years. (Education Code 215)

The Superintendent or designee shall post this policy on the district's web site, in a prominent location and in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

Legal Reference:

EDUCATION CODE

215 Student suicide prevention policies

215.5 Suicide prevention hotline contact information on student identification cards

216 Suicide prevention online training programs

234.6 Posting suicide prevention policy on web site

32280-32289.5 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6 Government Claims Act

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

5850-5886 Children's Mental Health Services Act

COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554
Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2019

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide: Guidelines for Administrators and Crisis Teams, 2015

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012

Preventing Suicide: A Toolkit for High Schools, 2012

WEB SITES

American Association of Suicidology: <http://www.suicidology.org>

American Foundation for Suicide Prevention: <http://afsp.org>

American Psychological Association: <http://www.apa.org>

American School Counselor Association: <http://www.schoolcounselor.org>

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>

California Department of Health Care Services, Mental Health Services: <http://www.dhcs.ca.gov/services/MH>

Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>

National Association of School Psychologists: <http://www.nasponline.org>

National Institute for Mental Health: <http://www.nimh.nih.gov>

Suicide Prevention Resource Center: <http://www.sprc.org/about-suicide>

Suicide Prevention Lifeline: <http://suicidepreventionlifeline.org>

Trevor Project: <http://thetrevorproject.org>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>

Policy ONTARIO-MONTCLAIR SCHOOL DISTRICT
adopted: July 2, 2020 Ontario, California

The Ontario-Montclair School District's Mission

The Ontario-Montclair School District (OMSD) is committed to providing a world-class education to our students in safe, respectful and welcoming school environments that empowers students, staff, and families to be successful in a dynamic global society and cultivates college, career, and community partnerships.

