

# MIDWAY SCHOOL DISTRICT

## MIDWAY TIGERS

### STUDENT HANDBOOK

Dear Students and Parents:

It is my pleasure to welcome you to Midway School District for the 2023-2024 academic year. I'm confident that this will be a successful and satisfying year for all stakeholders.

We will continue to rely on the Tiger Way program (Teamwork, Integrity, gratitude, Excellence and Respect) to guide us and ensure that all students are recognized/rewarded for their academic achievements and good behavior. We also encourage parents to become actively involved in the TIGER Way activities throughout the year.

The Parent-Student Handbook contains information about the school day and policies that are necessary in our day-to-day operation. The goal is always to reach school-wide academic excellence and develop kind, thoughtful and confident students that are prepared for their unique path in life. Striving to reach this goal is a cooperative effort among students, teachers, administrator, parents, and the Midway community.

Please read the handbook carefully with your child; your knowledge of the material can help eliminate misunderstandings. If you have questions or concerns about the operation of our school, please don't hesitate to contact us for further clarification. I look forward to a great year of learning and positive relationships.

Sincerely,

Mr. Al Quezada  
Superintendent

## MIDWAY SCHOOL BOARD

Sharyn Eveland  
Kim Martin  
Teena Simmons

President  
Clerk  
Trustee Representative

## TIMES TO REMEMBER

**7:40 A.M.      Earliest time for K – 8<sup>th</sup> Grade Students on Campus**  
7:45 A.M.      Breakfast Served  
8:00 A.M.      K – 8<sup>th</sup> - Class Starts  
11:15 A.M.     Lunch Time- Recess until 12:00 p.m.  
1:30 P.M.      Dismissal Time on Minimum Days  
2:30 P.M.      Regular Dismissal Time

## VISITORS TO THE SCHOOL

Parents are always welcome. For the protection of our students all visitors must first report to the office and get a name tag from the secretary.

Special visits for teacher conferences may be arranged by calling the school office (768-4344) in advance to be sure the teacher will be available.

Other students, High School and K-8, are discouraged from visiting Midway during school-in session hours, but exceptions are possible. Check with the office first.

If you are planning on joining your child for lunch let the office know by 8:30 a.m.

## CAFETERIA

The cafeteria is open daily and provides an excellent, well-balanced meal. Students may bring a sack lunch from home and purchase milk in the cafeteria. All lunches are to be eaten in the cafeteria.

All students eating a school lunch must take a tray and milk. Seconds are supplemental only. If your child is allergic to any food or dairy products, a doctor's excuse or prescription is necessary.

Cafeteria conduct is very important. The cafeteria is a quiet place where you may enjoy lunch with your friends. It is also a place where the best manners should be used.

Students are permitted in the cafeteria only when eating lunch. Parents are welcome to eat with their child.

Midway School participates in the National School Lunch Program, which is available to all students without regard to race, sex, color, national origin, age, or handicap.

Sack lunches will be available on field trip days. Let the office know two weeks in advance if a lunch is needed.

#### BREAKFAST/LUNCH PRICES:

Meals will be free for all students.

#### EMERGENCY EVACUATION

Each student will be expected to follow the procedures designated in each classroom for emergency evacuation or other emergencies. Fire/earthquake drills are held each month.

#### SCHOOL GROUNDS

Students are not to chew gum, candy, etc., while on the school grounds. This is for student safety and will help avoid the problem of litter on the grounds, in the classroom, or on the busses.

You are to keep your hands to yourselves at all times.

If you get sick or hurt while on the school grounds, report to a teacher or staff member as soon as possible.

#### DRUGS, ALCOHOL AND TOBACCO

The mandatory law, no smoking on school campuses – including outdoor events and school vehicles, went into effect July 1, 1995. The use of all tobacco products is banned from the Midway Campus.

Because the use of tobacco, alcohol and other drugs adversely affects a student's ability to achieve academically, is physically and emotionally harmful, and has serious social and legal consequences, the Midway Governing Board intends to keep the school district tobacco, alcohol and drug free. Every effort will be made to reduce the chances that our students will begin or continue using alcohol and other drugs. The prevention program includes instruction, intervention, recovering student support and enforcement/discipline.

The Governing Board recognizes that effectively keeping schools tobacco, alcohol and drug free is a cooperative effort between schools, home and the community.

Therefore, this Board authorizes the District Superintendent to use any lawful means in achieving the above objective including but not limited to, the search of student lockers and the utilization of both undercover law enforcement personnel and dogs trained in drug detection.

It is unlawful to sell, give or furnish drugs, alcohol or tobacco to minors under the age of 18. It is unlawful to use or possess drugs, alcohol or tobacco while on the school grounds. Violation may cause suspension or expulsion from school and the law enforcement agencies may be notified.

## **DRESS CODE & APPEARANCE**

Students are expected to wear clothes that meet acceptable standards in safety, health, and neatness. Extremes in dress or grooming that cause undue attention or become a disruptive influence in the classroom are not allowed.

1. Clothing that is excessively revealing is unacceptable. "Excessively revealing" includes, but is not limited to:
2. Clothing that is extremely tight fitting
3. Backless halter tops or dresses; tube tops; spaghetti strap; see-through tops; tank-top shirts or muscle shirts cut low at armpits or neckline
4. Clothing that shows bare midriffs
5. Shorts, dresses and skirts the length of which are shorter than halfway between mid-thigh and knee
6. Clothing that is transparent or revealing.
7. Underwear being worn as an outer garment or being visible during normal student activity.
8. Suggestive clothing with crude or vulgar words or pictures pertaining to drugs, alcohol, sex or tobacco is not to be worn at school.
9. Shoes must be worn and considered safe at all times. Due to safety, sandals must have back straps. Flip flops (or the like) are forbidden. Sippers are also forbidden.
10. Hats must face forward and be removed when indoors.
11. Gang related clothing or accessories are not to be worn.
12. Do not exchange clothing with other students, as the school is not responsible for damaged or lost items.
13. Writing on clothing, hands or other parts of the body is unacceptable.
14. Pajamas are not to be worn, unless allowed for a school activity.
15. Nose and ear piercings are allowed but will be removed during physical education classes and sporting events.
16. Items not allowed, but not limited to: gum, sunflower seeds, felt tipped markers, cameras, iPods, toys, head phones, wallet chains, pocket knives, laser pointers or anything else that causes distraction.

If the above standards are not met and followed, the students will:

1. Get clothes from home or they will be provided.
2. Discipline slip will be given to the student and mailed *home*.
3. Suspension for willful defiance of authority and regulations.

## BEHAVIOR

1. Behavior in class which disturbs the teacher's ability to teach or other students' ability to learn is unacceptable, unfair, and will not be tolerated.
2. Students are expected to keep their hands to themselves. Running, pushing, play fighting and horseplay are not permitted. This type of behavior is dangerous to those involved as well-as students nearby, and often causes injuries and leads to fights. Hand holding and other public displays of affection are not permitted at school.
3. Name-calling, teasing or any type of verbal abuse against classmates and staff will not be tolerated.
4. Passing from class to class should be done quietly and orderly.
5. School property (school books, desks, lockers, restrooms, PE clothes etc.) will not be damaged or defaced.

## POSSIBLE PUNISHMENT

1. Detention assigned and/or loss of T.I.G.E.R. privileges.
2. In-house suspension and loss of school activities.
3. Loss of school activities and field trips.
4. Loss of ditch day trip for 8th grade
5. Loss of graduation for 8<sup>th</sup> grade
6. Suspension from school
7. Expulsion from school. (Not necessarily in this order)

## MIDWAY T.I.G.E.R. Program

Midway T.I.G.E.R. is our program that is designed to promote teamwork, integrity, gratitude, excellence and respect. Additionally, Midway T.I.G.E.R. will honor staff members and volunteers for their excellent contributions.

The Midway School District's mission is to pave the way for our children's future. We feel that through celebrating and recognizing student success we can build confidence, increase achievement, and promote good citizenship. Our children must be encouraged not only at school but at home and in the community. The key to true student success is founded on the collaboration of school, home, and community support. The T.I.G.E.R program is a process that celebrates and recognizes student success. This program and the joint efforts of school, parents and community can help build successful experiences for our children that will lay the groundwork leading to happy and productive futures.

- Emphasize high expectations for student performance in reading, writing, mathematics, citizenship, good behavior, and attendance.
- Increase student achievement in all academic areas
- Raise student grade point averages with a focus on academic excellence

- Celebrate student achievement and improvement through tangible incentives
- Increase student attendance
- Encourage all students to earn T.I.G.E.R. recognition
- Recognize students, staff, and volunteers
- Involve the business and community in mutually beneficial partnership

## MIDWAY T.I.G.E.R. STANDARDS

### 3<sup>rd</sup> –8<sup>th</sup> Grade

Gold Award – 4.00  
All A's

Silver Award – 3.50  
All A's and B's and C's

Bronze Award – 3.0  
All A's and B's and C's

K- 8<sup>th</sup> students may also become a part of the program by becoming a T.I.G.E.R. Star student. (These students are selected by the staff.)

#### T.I.G.E.R. Star

Teamwork in and out of class  
Shows Integrity  
Shows gratitude towards others  
Always on task  
Always showing best effort  
Respectful to Adults and Peers

All recognition requires that the student:

Show positive behavior throughout the school  
Demonstrate good work habits

\*Office Referrals, poor attitude, lack of effort, or poor behavior may result in disqualification from the program!

\*\*Two Discipline Reports per quarter will disqualify the Student from T.I.G.E.R. Activities for that Quarter.

## POSSIBLE RESULTS FOR NOT FOLLOWING SCHOOL RULES & REGULATIONS

1. Detention assigned and/or loss of T.I.G.E.R. privileges.
2. In-house suspension and loss of school activities.
3. Suspension from school and loss of school activities.
4. Loss of school activities and trips.
5. Loss of ditch day trip for 8<sup>th</sup> grade.

6. Loss of graduation for 8<sup>th</sup> grade.
7. Expulsion from school. (Not necessarily in this order)

### REQUIREMENTS OF 8<sup>TH</sup> GRADE GRADUATION

1. If a student has more than 1 cumulative F in an academic subject, (Language Arts, History, Math, and Science) he/she will not participate in the graduation ceremony or receive a diploma.
2. No Student shall graduate who has a chronic record of being absent without a satisfactory reason. (A doctor must verify any lengthy absence due to illness.) If a student's total number of absences exceeds 20 days in their eighth-grade year and no verification of illness is forthcoming, the student will be declared ineligible to graduate and will not participate in the graduation ceremony or receive a diploma.
3. Students must successfully demonstrate an understanding of the U.S. Constitution by receiving 70% or high on the test.
4. Any 8<sup>th</sup> grade student who enrolls during the last five weeks of his/her 8<sup>th</sup> grade year will not be included in the graduation ceremonies unless acceptable documentation is received by the district that the student has achieved an academic level commensurate with the district standards.
5. Any student who anticipates participating in the graduation ceremony must retain a respectable level of conduct with no more than two suspensions (not including bus suspensions) in their eighth-grade year. It will be up to the discretion of the Board of Trustees if there is a single occasion of severe behavior that warrants a student to be denied the privilege of participating in graduation ceremonies.

Furthermore:

Any student with any of the above violations will have their report card and diploma mailed to them.

A Student's diploma will not be released if there are any outstanding charges for lunches, textbooks, library, etc.

### CLASSROOM

Students are to report to all classes in an orderly manner and ON TIME. Sit down and be quiet and wait for instructions.

Passing from class to class should be done quietly and orderly.

Do your work and do not prevent other students from doing their work.

Take good care of personal and public property. Do not damage the property of others. Students will be required to repair and/or pay for damage to textbooks, school buildings and equipment.

Respect teacher substitutes as you would all school employees. Verbal abuse will not be tolerated against classmates or any school employee. Disciplinary action will be taken if necessary.

### RESTROOMS

Restrooms are for your convenience. Any damage done to them can only result in an inconvenience to you. They are not “meeting” places or eating rooms. There should be no food or loitering in any school restroom.

### MEDICATION

Students with doctor authorization may carry and self-administer auto-injectable epinephrine medications. All other medication must be kept in the office for dispensing, as well as the notes from doctors and parents. The parents will furnish all medication.

### ATTENDANCE & TRUANCY

Regular attendance is necessary for successful schoolwork.

The school can excuse absences from classes for reasons such as illness, death in the family, court appearances, and medical and dental reasons.

When students return to school after being absent or tardy, they should present a hand written note signed by the parent or guardian explaining the cause of the absence or tardy, to the office or the parent may call the office with the explanation. The student will be given a Re-admit or Tardy Slip.

Parents, guardians or other authorized persons taking students from school during the day must go to the office and sign a release form.

Refer to Truancy Policy - Pages 20-22

### PROGRESS REPORT/PARENT TEACHER CONFERENCE/REPORT CARDS

Parent-teacher conferences and report cards are provided for each student. Parents of students in grades K-8 will receive reports cards four times a year, and will receive progress reports as needed. Extra conferences may be set up by contacting the school. Parents may also check their students grades by utilizing Jupiter Ed Grading System.

### BOOKS AND SUPPLIES

All necessary books are furnished by the school district. Pencils, pens, paper and all other supplies necessary for class work are provided.

Personal property items such as toys, electronic devices etc., should not be brought to school. Staff members may confiscate them and turn the item into the office.

Special items necessary for class presentation, may be brought to school, but only with special permission from the bus driver and a teacher. Such items are to be checked in at the office until needed and returned there after the presentation. The items shall be taken home after school.



### LUNCH RECESS

After dismissal from the cafeteria, report immediately to the playground. Use the proper behavior expected of you as a Midway Student.

### SIDEWALKS

Walk on the sidewalks, do not run. This is for your safety and the safety of others. Students running on sidewalks will be disciplined. Keep off the grass when wet.

### CELL PHONES

Cell Phones are only to be used for true emergencies (earthquakes, fires, etc.); otherwise they are to be turned off and left in backpacks. This means that they can't be taken out to check for messages, the time or take pictures. Phones will be confiscated and turned over to parents if a student does not abide by the rule, and will lose cell phone privileges for the remainder of the school year.

### HOMEWORK

K-8 Teachers will generally assign homework each day, usually Monday through Thursday only. If a child is absent, please allow 24 hours for the Teacher to get homework ready, before you pick it up or have it sent home.

### BALLOONS – FLOWERS – ETC.

Balloons or flowers sent to school for students, will be kept in the office until school is dismissed. Parents will have to pick them up for bus students as they cannot be taken on the bus.

### LOST AND FOUND

If you have lost or found something, check with the secretary in the office.

### PARTIES

Party dates for classrooms are selected by the Teachers.

The General Rule:

1. K-8 has parties for Halloween, Christmas, Valentine's and Easter.
2. Any other parties or "non-parties" must be cleared through the Teacher.

### PARENT ORGANIZATIONS

Organizations available for parent participation are LCAP Parent Advisory Committee and T.I.G.E.R Parent Volunteers. You are welcome to attend and support your child, school staff and community. Please call the school for information.

### STUDENT HARASSMENT (SB 1930 Effective date January 1, 1993)

Verbal, visual or physical harassment of students, are grounds for suspension or expulsion from school. Verbal harassment: this includes offensive comments, jokes or slurs, graphic verbal

comments about an individual's body and graphic or verbal comments of a sexual nature. Visual harassment: offensive posters, cards, cartoons, graffiti, drawings, objects or gestures. Physical harassment: this includes unwelcome or offensive touching or impeding or blocking or movement.

The Governing Board is committed to maintaining a school environment that is free from harassment. The Board prohibits sexual harassment of any student by another student, an employee or other person, at school or at a school-sponsored or school-related activity. The Board also prohibits retaliatory behavior or action against any person who complains, testifies, assists or otherwise participates in the complaint process established in accordance with this policy.

### ASSAULT, BATTERY, INSULTS, ABUSES AND THREATS

#### EC 44014. Assault on Personnel

- (a) Whenever any employee of a school district or of the office of a county superintendent of schools is attacked, assaulted, or menaced, by any pupil, it shall be the duty of such employee, and the duty of any person under whose direction or supervision such employee is employed in the public school system who has knowledge of such incident, to promptly report the same to the appropriate law enforcement authorities of the county or city in which the same occurred. Failure to make such report shall be a misdemeanor punishable by a fine of not more than \$200.
- (b) Compliance with school district governing board procedures relating to the reporting of, or facilitation of reporting of, the incidents specified in Subdivision (a) shall not exempt a person under a duty to make the report prescribed by Subdivision (a) from making such report.
- (c) A member of the governing board of a school district, a county superintendent of schools, or an employee of any school district or the office of any county superintendent of schools, shall not directly or indirectly inhibit or impede the making of a report prescribed by Subdivision (a) by a person under a duty to make such report. Such an act to inhibit or impede the making of such a report shall be a misdemeanor and shall be punishable by a fine of not less than \$100 or more than \$200.
- (d) Neither the governing board of a school district, a member of the governing board, a county superintendent of schools, nor an employee of a school district or of the office of any county superintendent of schools shall impose any sanctions against a person under a duty to make the report prescribed by Subdivision (a) for making such a report. 1980

#### EC 44811. Insults and Abuses

Any parent, guardian, or other person whose conduct in a place where a school employee is required to be in the course of his or her duties materially disrupts class work or extracurricular activities or involves substantial disorder is guilty of a misdemeanor which is punishable by a fine not exceeding \$100, by imprisonment in the county jail for a period of not more than 10

days, or both. This section does not apply to any otherwise lawful employee concerted activity, including, but not limited to, picketing and the distribution of handbills. AM. 1988  
EC 49079. Notice to Teachers of Students Who Have Caused or Have Attempted To Cause Bodily Injury

- (a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions. The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business or receives from a law enforcement agency, regarding a pupil described in this section.
- (b) A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and the district or district officer or employee knew that the information was false, or was made with a reckless Disregard for the truth or falsity of the information provided.
- (c) An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a), is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed \$1,000., or both.
- (d) For the 1994-95 school year, the information provided shall be from the previous two school years. For the 1996-97 school and each school year thereafter, the information provided shall be from the previous three school years.
- (e) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. Am. 1995

#### **PC 71. THREATENING SCHOOL EMPLOYEES**

Every person who, with intent to cause, attempts to cause, or causes, any officer or employee of any public or private educational institution or any public employee to do or refrain from doing, any act in the performance of his duties, by means of a threat, directly communicated to such person, to inflict an unlawful injury upon any person or property, and it reasonably appears to the recipient of the threat that such threat could be carried out, is guilty of a public offense punishable as follows: (1) Upon a first conviction, such person is punishable by a fine not exceeding \$10,000, or by imprisonment in the state prison, or in a county jail not exceeding one year, or by both such fine and imprisonment. (2) If such person has been previously convicted of a violation of this section, such previous conviction shall be charged in the accusatory pleading, and if such previous conviction is found to be true by the jury, upon a jury trial, or by the court, upon a court trial, or in admitted by the defendant, he is punishable by imprisonment in the state prison.

As used in this section, “directly communicated” includes, but is not limited to a communication to the recipient of the threat by telephone, telegraph, or letter. Am 1983

#### **PC 240. ASSAULT: DEFINED**

An assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another. 1872

**PC 241.2. SCHOOL EMPLOYEES: ASSAULT**

- (a) When an assault is committed on school or park property against any person, the assault is punishable by a fine not exceeding \$2,000, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.
- (b) "School," as used in this section means any elementary school, junior high school, four-year high school, senior high school, adult school or any branch thereof opportunity school, continuation high school, regional occupational center, evening high school technical school, or community college.

**PC 241.6. SCHOOL EMPLOYEES: ASSAULT**

When an assault is committed against a school employee engaged in the performance of his or her duties, or in retaliation for an act performed in the course of his or her duties, whether on or off campus, during the school day or at any other time, and the person committing the offense knows or reasonably should know the victim is a school employee, the assault is punishable by imprisonment in a county jail not exceeding one year, or by fine not exceeding \$2,000, or by both the fine and imprisonment.

This section shall not apply to conduct arising during the course of an otherwise lawful labor dispute. Am. 1993

**PC 242. BATTERY**

A battery is any willful and unlawful use of force or violence upon the person of another. 1872

## MIDWAY SCHOOL DISTRICT

### SCHOOL BUS STOP CONDUCT PROCEDURES:

School Bus Rider Information Upon Registration (Ed. Code 39831.5)

1. Students will arrive at their designated school bus stop before the bus is scheduled to arrive.
2. Students will line up and be ready to board the bus while the bus is approaching the stop.
3. Students will not approach the bus until the bus is completely stopped, 6 feet from the students, the door is opened, and the driver says it is OK to board the bus.
4. Students will refrain from disturbing the property at the bus stop and will conduct themselves as if they are on school grounds
5. Students that cross the street shall be escorted by the bus driver. Students shall wait for the bus driver to stop, secure the bus, and turn on the red light crossover lights. They shall exit the bus after the driver and wait on the curb until the driver tells them to cross the street. (If students are not at the bus stop when the bus gets there, they will have to wait for the driver to escort them across the street to the bus.) They shall cross the street between the bus and the driver all the way to the opposite curb.

#### **At no time shall students cross the street behind the bus!**

6. A danger zone is a blind area which extends from the front of the bus down the side and to the rear of the bus. Students shall not come within 6 feet of the bus unless the bus is completely stopped and students are entering or exiting the bus.
7. The students must follow the recommended safety precautions given by the bus driver and they have a responsibility to conduct themselves properly while walking to and from their bus stop.

**Authority of the Driver (5CCR 14103)**

“Pupils transported in a school bus shall be under the authority of, and responsible directly to, the driver of the bus, and the driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across the street or highway.”

**Crossing the Street (13 CCR 1227a)**

“No student shall cross the street without the driver activating the red lights, getting out of the bus and then crossing him/her over.”

**Denial of Transportation (5 CCR 14103)**

“Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation.”

**Bus Surveillance Camera**

Students caught on surveillance videotape in a properly posted common (public) area have no expectation of privacy. Bus Camera is used to assist the bus driver with the safety of students and the monitoring of student behavior.

**A GUIDE TO STUDENT RESPONSIBILITIES WHILE RIDING SCHOOL BUSES**

These rules and regulations will assist students in understanding their responsibilities while riding buses of the school district. These rules will assure safe and proper travel to and from school and are to be observed while riding the bus and waiting at school bus stops. The following list of student actions constitutes violations of the established rules and regulations.

- |   |  |
|---|--|
| 1. Failure to remain seated.                  | 9. Eating, drinking, or littering of any kind.                                     |
| 2. Obstructing the aisle or facing to rear.   | 10. Throwing objects in, out of, or at the bus.                                    |
| 3. Fighting on bus or at stop.                | 11. Unauthorized exit or changing seats.   |
| 4. Parts of body out of window.               | 12. Giving improper identification when requested by driver (includes substitute). |
| 5. Disrespect or failure to obey driver.      | 13. Using other than regularly designated stop.                                    |
| 6. Creating excessive noise.                  | 14. Other unsafe actions.  |
| 7. Using profanity or obscene gestures.       | 15. No headphones, toys, etc.  |
| 8. Damaging, defacing, or tampering with bus. |  |

**AUTHORITY OF BUS DRIVER**

All students are under the authority of and are responsible directly to the driver of the bus in accordance with California Administrative Code Title V: 14263.

## **SCHOOL BUS INCIDENT REPORT PROCEDURE**

1. Child asked by bus driver to stop behavior or citation is given if necessary.
2. First Citation: The School Bus Incident Report will act as a warning to correct behavior.
3. Second Citation: The School Bus Incident Report will act as a final warning.
4. Third Citation: 5 day suspension of bus riding privileges and a mandatory parent conference before student will be allowed back on the bus.
5. Fourth Citation: 15 day suspension of bus riding privileges/loss of field trip privileges and a mandatory parent conference before student will be allowed back on the bus.
6. Fifth Citation: 30 day suspension of bus riding privileges/loss of field trip privileges and a mandatory parent conference before student will be allowed back on the bus.
7. Sixth Citation: **STUDENT LOSES BUS RIDING PRIVILEGES FOR THE REMAINING DAYS OF THE SEMESTER OR 50 DAYS, WHICHEVER IS GREATER. FIELD TRIP PRIVILEGES ARE ALSO LOST DURING SUSPENSION.**

Copies of citation will be sent to: a) Parent  
b) School Office  
c) Transportation Department

If improper conduct continues, student may lose bus riding privileges.

In addition to the suspensions that are imposed for the third, fourth, fifth, & sixth citations, suspension may also occur whenever a student commits or attempts to commit an act of violence, willfully threatens the safety of other, or demonstrates complete disrespect for the authority of the driver. Parents need to provide transportation for their child during the suspension of bus riding privileges.

We hope that in sending this notice to tell you of the system now in effect, you will see it as a reflection of our ever-present interest in the personal safety and well-being of your children. Please take the opportunity to review school bus conduct with your children so they know that you know what is expected of them.

**FACULTY MEMBERS**

**POSITION**

**NAME**

**Superintendent**

**Mr. Al Quezada**

**Secretary**

**Shawna Taylor**

**K/First**

**Denise Freeman**

**Second/Third**

**Julia Bailey**

**Fourth/Fifth**

**Megan Crane**

**Sixth/Seventh**

**Daniel Panchi**

**Eighth**

**Maria Gregory**

**CLASSIFIED STAFF**

**Teacher's Aide/Custodian**

**Noryfel Bienvenu**

**Teacher's Aide/Custodian**

**Christel Cordova**

**Teacher's Aide/Custodian**

**Karie Fitzsimmons**

**Teacher's Aide/Custodian**

**Taylor Lemmons**

**Custodian/Cafeteria**

**Crystal King**

**MOT Supervisor**

**Jose Salas**

**SPECIAL EDUCATION STAFF**

**Testing – Co. Office**

**Kern County**

**Resource Specialist**

**Julie Van Sickle**

**Speech/ Hearing – Co. Office**

**TBD**



## **Regulation 5113.1: Chronic Absence And Truancy**

Status: ADOPTED

Original Adopted Date: 01/12/2021

### Definitions

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular school of the district, exclusive of Saturdays and Sundays. (Education Code 60901)

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian after either of the two previous reports. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260, 48260.5, 48261, 48262, 48263, and 48291. (Education Code 48263.6)

For purposes of classifying a student as a truant, valid excuse includes, but is not limited to, the reasons for which a student shall be excused from school pursuant to Education Code 48205 and 48225.5. A valid excuse may include other reasons that are within the discretion of school administrators and, based on the facts of the student's circumstances, are deemed to constitute a valid excuse. (Education Code 48260)

### Addressing Chronic Absence

When a student is identified as a chronic absentee, the Superintendent/Principal or designee shall communicate with the student and his/her parents/guardians to determine the reason(s) for the excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

The student may be referred to a student success team or school-site attendance review team to assist in evaluating his/her needs and identifying strategies and programs to assist him/her.

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.

Whenever chronic absenteeism is linked to a health issue or nonschool condition, the Superintendent/Principal or designee may recommend school or community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.

### Addressing Truancy

An attendance supervisor or designee, peace officer, probation officer, or school administrator or designee may, as applicable, arrest or assume temporary custody during school hours of any minor student found away from his/her home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

The Superintendent/Principal or designee shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (Education Code 48290)

When a student has been identified as a truant as defined above, the following steps shall be implemented based on the number of trancies he/she has committed:

1. Initial truancy

- a. The student shall be reported to the Superintendent/Principal or designee
- b. . (Education Code 48260)
- c. The student's parent/guardian shall be notified by the most cost-effective method possible, which may include email or a telephone call, that: (Education Code 48260.5)
  - i. The student is truant.
  - ii. The parent/guardian is obligated to compel the student to attend school. If the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.
  - iii. Alternative educational programs are available in the district.
  - iv. The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
  - v. The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator or designee, or attendance supervisor or designee pursuant to Education Code 48264 if found away from home and absent from school without a valid excuse.
  - vi. The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
  - vii. It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.
- d. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
- e. The student and, as appropriate, his/her parent/guardian may be requested to attend a meeting with a school counselor or other school designee to discuss the root causes of the attendance issue and develop a joint plan to improve the student's attendance. (Education Code 48264.5)
- f. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and his/her parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or a telephone call. (Education Code 48262)
- g. The student may be given a written warning by a peace officer. A record of that warning may be kept at the school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)

- h. The Superintendent/Principal or designee may notify the district attorney and/or probation officer when the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (Education Code 48260.6)

## 2. Second truancy (habitual truancy)

- a. A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the Superintendent/Principal or designee. (Education Code 48263, 48264.5)
- b. Upon making a referral to the SARB or the probation department, the Superintendent/Principal or designee shall provide the student and parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the SARB or a probation officer to consider a proper disposition of the referral. (Education Code 48263)
- c. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (Education Code 48264.5)
- d. If the Superintendent/Principal or designee determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or his/her parents/guardians have failed to respond to the directives of the district or to services provided, the Superintendent/Principal or designee may so notify the district attorney and/or the probation officer. (Education Code 48263)

## 3. Third truancy

- a. Upon his/her fourth truancy within the same school year, the student may be referred to the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)
- b. If a student has been adjudged by the county juvenile court to be a habitual truant, the Superintendent/Principal or designee shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)

## 4. Chronic truancy (unexcused absence for 10 percent of school days)

- a. The Superintendent/Principal or designee shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.
- b. If a chronically truant student is at least age six years and is in any of grades K-8, the Superintendent/Principal or designee shall notify the student's parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

## Records

The Superintendent/Principal or designee shall maintain accurate attendance records for students identified as habitual or chronic truants. The Superintendent/Principal or designee also shall document all contacts with a student and his/her parent/guardian regarding the student's attendance, including a summary of all conversations and a record of all intervention efforts.

The Superintendent/Principal or designee shall gather and transmit to the County Superintendent of Schools the number and types of referrals made to the SARB and of requests for petitions made to the juvenile court. (Education Code 48273)

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## **BP 0410 (A)**

### **NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities.

*(cf. 4030 – Nondiscrimination in Employment)*  
*(cf. 4032 – Reasonable Accommodation)*  
*(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)*  
*(cf. 5145.3 – Nondiscrimination/Harassment)*  
*(cf. 5145.7 – Sexual Harassment)*  
*(cf. 5146 – Married/Pregnant/Parenting Students)*  
*(cf. 6145.2 – Athletic Competition)*  
*(cf. 6164.4 – Identification of Individuals for Special Education)*  
*(cf. 6164.6 – Identification and Education under Section 504)*  
*(cf. 6178 – Vocational Education)*  
*(cf. 6200 – Adult Education)*

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assisted listening devices, notetakers, written materials, taped text, and Braille or large print materials.

*(cf. 5124 – communication with Parents/Guardians)*

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

*(cf. 9320 – Meetings and Notices)*

The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination. Such notification shall be included in each announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups. (34 CFR 104.8, 106.9)

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

The Superintendent or designee shall also provide information about related complaint procedures.

*(cf. 1312.3 – Uniform Complaint Procedures)*  
*(cf. 4031 – Complaints Concerning Discrimination in Employment)*

In compliance with law, the district’s nondiscrimination policy shall be published in the individual’s primary language to the extent practicable.

*(cf. 5145.5 – Parental Notifications)*

**UNIFORM COMPLAINT PROCEDURE**

Al Quezada, Superintendent  
Midway Elementary School District  
259 F Street  
Fellow, CA 93224  
661-768-4344

For students, employees, parents or guardians of its students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties.

**COMPLIANCE OFFICER**

The Board of Education designates the following compliance officer to receive and investigate complaints and ensure district compliance with the law: **AL QUEZADA, SUPERINTENDENT, MIDWAY ELEMENTARY SCHOOL DISTRICT, 259 F STREET, FELLOWS, CA 93224, 661-768-4344.**

**UNIFORM COMPLAINT PROCEDURES**

The Midway Elementary School District recognizes that it has primary responsibility for ensuring that it complies with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve complaints at the local level. The Procedures (UCP) when addressing complaints alleging:

Unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color or physical or mental disability or failure to comply with state and/or federal laws in adult educating, consolidated categorical aid programs, migrate education, vocational education, child care &\* developmental programs, child nutrition programs, and special education programs.

The Board acknowledges and respects students and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent

necessary to carry out the investigation, as determined by the Superintendent or designee on a case-by case basis.

Unlawful discrimination complaints shall be initiated no later than six (6) months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination.

### **COMPLAINT MEDIATION**

The Midway Elementary School District recognizes that a neutral mediator can often suggest an early compromise that is agreeable to all parties in a dispute. The Superintendent shall ensure that the mediation results are consistent with state and federal laws and regulations.

### **PROCEDURES**

The complaint review will be completed and a written decision, written within 60 calendar days. The procedures are available for review at the school office through the compliance officer. They include the following steps:

**STEP 1: FILING A COMPLAINT**

**STEP 2: MEDIATION**

**STEP 3: INVESTIGATION OF COMPLAINT**

**STEP 4: DISTRICT RESPONSE**

**STEP 5: FINAL WRITTEN DECISION**

Compliance officers shall maintain a record of each complaint with the California Code of regulations, Title 5, Section 4632.

### **APPEALS TO THE CALIFORNIA DEPARTMENT OF EDUCATION**

If dissatisfied with the school's decision, the complainant may appeal, in writing to the California Department of Education within 15 business days of receiving the school's decision. For good cause, the Director of Public Instruction may grant an extension for filing appeals.

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the school's decision and must include a copy of the locally filed complaint and the school's decision.

### **CIVIL LAW REMEDIES**

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers of public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the district has appropriately, and in a timely manner, apprised the

complainant of his/her rights to file a complaint in accordance with the California Code of Regulations, Title 5, Section 4620.

**REFERRING-COMPLAINST TO OTHER APPROPRIATE STATE OR FEDERAL AGENCIES**

In addition to filing a complaint with the school, complainants may file complaints with appropriate state or federal agencies.

A copy of Midway Elementary School Districts Uniform Complaint Procedure Policy and Complaint Procedures shall be available free of charge.