

INVESTIGATION REPORT
EL RANCHO UNIFIED SCHOOL DISTRICT
Greg Salcido - teacher
(CONFIDENTIAL)

To: Bonny Garcia, Esq., General Counsel for the El Rancho Unified School District

From: Steve Hummel, P.I.

Re: Greg Salcido - teacher

The undersigned was designated to conduct an investigation into the concerns of the Board of Education as they relate to Mr. Greg Salcido, teacher, and his conduct as an employee and representative of the El Rancho Unified School District. While the initial scope was specific, discoveries made during the investigation mandated the expansion of the process to assure thoroughness and transparency.

Potential witnesses that have been interviewed or attempts were made to interview them are listed in no particular order:

Students:

- [REDACTED] – student
- [REDACTED] – student
- [REDACTED] – student
- [REDACTED] – student
- [REDACTED] - student
- [REDACTED] – former student
- [REDACTED] – student
- [REDACTED] – former student

Parents:

- [REDACTED] – parent
- [REDACTED] - parent
- [REDACTED] – parent

Teachers:

- [REDACTED] – teacher / [REDACTED]
- [REDACTED] – teacher

Staff:

- [REDACTED] – Counselor [REDACTED]
- [REDACTED] – Counselor [REDACTED]
- [REDACTED] – Counselor
- [REDACTED] – IT Manager

School Administrators:

- [REDACTED] – former Asst. Principal, [REDACTED]
- [REDACTED] - Asst. Principal / [REDACTED]
- [REDACTED] – Asst. Principal [REDACTED]

- [REDACTED] – principal
- [REDACTED] – [REDACTED] Administrator, [REDACTED]
- [REDACTED] – Dean [REDACTED]
- [REDACTED] – Asst. Principal, [REDACTED]

District Administrators:

- [REDACTED] – Superintendent
- [REDACTED] – Asst. Superintendent, [REDACTED]
- [REDACTED] – Director of [REDACTED]

Other:

- [REDACTED] - Rio Honda [REDACTED]
- [REDACTED] – attorney [REDACTED]

Documents that were reviewed and referred to in this report are listed as follows:

- Statement of [REDACTED] Exhibit A
- Statement of [REDACTED] Exhibit B
- Statement of [REDACTED] Exhibit C
- Statement of [REDACTED] Exhibit D
- Statement of [REDACTED] Exhibit E
- Statement of [REDACTED] Exhibit F
- Statement of [REDACTED] Exhibit G
- Statement of [REDACTED] Exhibit H

- Statement of [REDACTED] Exhibit I
 - [REDACTED] emailed answers to questions Exhibit J
 - Transcript portions from Mr. Salcido interviews Exhibit K
 - ERUSD Child Welfare and Attendance form Exhibit L
 - ERUSD Acceptable use policy for technology Exhibit M
 - Anti-Bullying Training power point & sign in and out sheet Exhibit N
 - 03/26/14 Letter of reprimand Exhibit O
 - 10/30/14 Letter of Reprimand Exhibit P
 - 10/12/09 Summary of conference letter Exhibit Q
 - 07/23/10 Letter of Reprimand Exhibit R
 - Student Handbook 2017-2018 Exhibit S
 - 02/18/11 Memorandum – Student removal from class Exhibit T
 - 03/14/11 Notice of unsatisfactory Conduct Exhibit U
 - 08/21/12 Notice of unprofessional conduct Exhibit V
 - Spread sheet documenting the disciplinary actions taken by the district along with the training materials provided to Mr. Salcido to help him learn and become more professional. Exhibit W
 - 11 documents associated with the City of Pico Rivera and not El Rancho Unified School District. These documents were created between 3/1/14 and 12/10/15. Exhibit X1 – X11
- An image of a post from a Facebook account “Gregory Salcido dated Jan 27, 2018 at 1:38PM. This post shows a vulgar and profane attack on members of the military. Exhibit X-12

- 4 images recovered from deleted file space: Exhibit X-13 to X-16
 - An image of a young boy standing behind a large Sumo Wrestler pulling on his “Mawashi” (thong like garment).
 - A large breasted woman wearing only a revealing bra and lifting her breasts.
 - A nude woman kneeling on a bed.
 - A nude woman with small pasties on her breasts.
- 2 examples of GregorySalcido@Gmail.com emails among hundreds. These 2 are Pico Rivera city business as are many others. Exhibit X-17 to X-18

The physical evidence that was reviewed and referred to in this report is listed as follows:

- Mr. Salcido’s school email box
- Mr. Salcido’s El Rancho computer hard drive

Statement:

Gregory Salcido, teacher

Mr. Salcido stated during his interview that his teaching goal is “It’s not right or wrong, It’s weak or strong”. He then says, “Right or wrong is irrelevant”.

Note: These statements are the very definition of bullying and are rampant throughout all of the inappropriate behavior spelled out in this report.

Witness Statements:

[REDACTED], parent

[REDACTED] said, “In April of 2014 my son [REDACTED], was sharpening his pencil in the back of the room when Mr. Salcido yelled back, ‘Hey [REDACTED], what are you doing back there? Jerking off?’ My son was extremely upset and embarrassed. We spoke to [REDACTED], but [REDACTED] was too afraid

to make a formal complaint. He was afraid because he believes, “there was a posse of students that go after kids that say stuff against Mr. Salcido”.

██████████, Rio Hondo ██████████:

██████████ said, “I worked as an outreach recruiter for the college. What we do is we recruit high school seniors to go to Rio Hondo in the fall. So a lot of the students, we help them do their application and at that time we're helping them do assessment testing for English and math. I'm signing them up for personalized counseling. We were there on a weekly basis normally. I was there on Monday. ██████████ and my boss ██████████ basically said, ‘you know ██████████ why don't you go out and ask the teachers if it would be OK to put that in their classes’. And so I agreed. I went to a teacher's classrooms and then I ended up at Mrs. Salcido's classroom. I walked in and I just you know told him who I was. I said you know my name ██████████. I work for Rio Hondo College I'm part of Outreach. I told him that I was just there to talk to seniors about the Rio Hondo promise about our free tuition our benefits of free registration for degrees and programs that we have to offer. And if they had any questions that they could see me at the College Corner or The call center to me any time on Monday”.

She continued, “So when I had told him that, he seemed pretty upset. He was in the room by himself sitting at the computer and he just went off like really upset and just said, ‘Oh like why are you going to try to come in my class and tell my students this false information I don't even recommend my students to go there. Your college is horrible. Like just all these different things are just really degrading and all I had just asked to present in his class about it and I just told him OK that's fine. I said no worries. And I was going to leave. Then he continued on with his bantering about how bad a cause was why he wouldn't send students there why he doesn't recommend that college. He recommends Cerritos College which is the college in Norwalk or whatever it is. And he was just saying like said I know through school or college just going off about it. And I just said OK. And so I left the classroom. I went and spoke to ██████████, I was pretty emotional. I just really felt like that was just such a traumatizing being here to hear a teacher be so negative about it to a local community college. Oh man it's one of our feeder districts so we serve El Rancho every week sometimes more just because we do get a lot of students from there. And so it was a terrifying period that ended up me crying just because he was so rude to me. I told my administration I Filed a grievance letter or something like that with the school district and then that was it. I spoke to the college counselor whatever she talked to the vice principal or something like. And then I emailed a letter. And I had to write what happened. I gave it to ██████████ the counselor.

██████████ said she felt like she was being bullied. Mr. Salcido berated her and argued until I either agreed with him or just left. She said, “if you can make a grown woman feel like that imagine what he does to children”.

██████████ – **Teacher:**

██████████ has been in the history department here since 2004. She is the lead for the government teachers. She said, “We have collaborative teams. We have meetings built into our work week at least twice a month for the last 5 years and Mr. Salcido has never attended any of them”.

She filed a complaint against Mr. Salcido on Sept. 16, 2011. She said, “It was because he came into my room right after school on a minimum day. He was very aggressive and accused me of enticing the kids. He began yelling at me about something the kids were saying. I said I would talk to the kids about it and he threatened to come into my class to teach the kids the truth. I was fearful because there was no one else in the room and he was 2 inches from her. He was agitated and angry but never took the time to ask me what was going on. I tried to calm him down and speak softly to try to get him to speak more softly. It didn’t work, he just got louder and more in my face. I tried to apologize and said I would talk to the kids to find out what’s going on. He left the room as he said my apology wasn’t worth polishing his shoes with”.

She felt both intimidated and bullied. She called the principal’s office, but no one answered. She called another teacher, ██████████.

She filed a complaint and the principal ██████████ said Salcido would be barred from coming into her room or being around her without an administrator. ██████████ told her Salcido would be required to write an apology to her, but she never received one.

She doesn’t feel the school or the district did enough about this incident. She personally feels that because he is a councilman they didn’t do more. She is frustrated in that there have been students pulled out of his class and put in hers because of the way he treated them.

Last semester she had three kids placed into her class. Two were from ██████████ and the third she wasn’t sure about.

She said this has been going on for a while. When she and Mr. Salcido both taught world history sometimes kids would switch from her class to his due to a schedule conflict. Several of those kids ended up asking to come back because Mr. Salcido makes fun of them or he won’t let them into the class because of what they are wearing. She said one little 10th grader used to wear long white t-shirts because his family didn’t have much money. She was walking to the bathroom and saw this kid with tears in his eyes. She asked him why he was crying and the kid said the teacher wouldn’t let him come into the class and made him stand outside. She went to the dean, ██████████, and said this student needed to be moved to her classroom and they did. This was in 2008 or 2009.

Ever since filing the complaint, she doesn’t say anything to Mr. Salcido. She can’t even make

eye contact with him. She feels badly since this isn't what they should teach their children. Some of the kids feel other kids will bully them if they speak up against Mr. Salcido.

The patterns seem to be that shy kids and kids with low self-esteem are the ones needing to be moved from his class.

[REDACTED], **student:**

[REDACTED] was a student in Mr. Salcido's class during Sept 2017, Mr. Salcido refused to sign his permission slip allowing him to join a field trip to Rio Hondo college for an exploratory tour. Mr. Salcido said, "I don't sign shit for Rio Hondo. Go ahead and forge my signature". Mr. Salcido then marked him absent. The school called his mother, but she already knew about it. She was angry at Mr. Salcido.

[REDACTED] witnessed students being kicked out of class, "He did kick out a student in the beginning of the first semester because she came late. She was giving him attitude because she came late so he kicked her out". She switched classes right after that". Her name was [REDACTED] (a senior).

Mr. Salcido used profanity with a student when he brought up the incident of when Salcido hit a kid. Mr. Salcido said, "Why would you bring that shit up, that's like the past I, I don't give a shit about what the fuck happened".

Mr. Salcido made kids do squats when they came in late. It happened about one or twice a week. Everyone would do the squat except some girls so he made them say, "Mr. Salcido is the greatest teacher".

[REDACTED] – **Parent**

[REDACTED] told me the same thing her son [REDACTED] said during his interview. She found out what had happened but had already signed the permission slip and was happy her son went to the tour.

[REDACTED], **former Asst. Principal of [REDACTED]:**

He was responsible for employee discipline among other things.

His first interaction with Mr. Salcido was when he found several students wandering the campus who said Mr. Salcido wouldn't let them in class. [REDACTED] had the office call Salcido and tell him to let the students into the class. Several minutes later [REDACTED] found the students wandering the halls again. [REDACTED] went to the class and Mr. Salcido said, "No I don't want them in my class". [REDACTED] went to his office and after class called Mr. Salcido to arrange a conference. Mr. Salcido told him if he has a problem they should meet right away so they did.

[REDACTED] told him students needed to be in class. Mr. Salcido said, "No, I don't want them here, they're not students, and if I don't like them I don't want them here". [REDACTED] explained

it was his professional responsibility, he was liable for them. Mr. Salcido said he didn't believe in that kind of stuff. ██████ said he didn't care what he believed in, he was legally responsible for these kids. Mr. Salcido would then go off on these weird tangents and say, "Well because we used to hang black people we should keep hanging them". ██████ said, "What are you talking about? You must have them in your class". Mr. Salcido said, "Well, one of them didn't write an essay". ██████ asked, "OK, what are you doing to help him with that?" Mr. Salcido said, "Well I'm not going to let him in the class". ██████ said, "You can't do that, you can keep him after class for tutorial, it's built into the schedule". Mr. Salcido said, "No I don't believe in that". ██████ said, "If you're not even going to support him like you should as a teacher, you can fail him on the assignment, but they need to be in your class". Mr. Salcido said, "Fine, fine I'll do it. Why don't you take the gates down to the school, students should be able to come and go as they please?" ██████ said, "Greg, you're not making any sense. If you have any particular discipline issue with a kid, you need to write them up and send them to me so it is formally documented". Mr. Salcido said, "No I don't believe in that". ██████ went back to his office and wrote up a memorandum of conversation (Exhibit S).

This behavior continued to happen periodically over the next several years. ██████ would write up new summary of conference letters each time (Exhibit T and U).

Another incident was when a mother complained Mr. Salcido was degrading her daughter because she was Anglo. He was calling her a Nazi and saying he didn't like her (according to the letter of reprimand, Mr. Salcido said, "Shut up or I'll kill you") but if he were to do something to her they would kill him because she's Anglo and he's Mexican. Mr. Salcido said she was like ██████, because he's a Nazi too. ██████ said he was half white and half Mexican. Mr. Salcido said, "Oh so your half Nazi and half beaner". Mr. Salcido was constantly degrading certain kids. ██████ issued him a formal letter of reprimand (Exhibit R).

An incident where Mr. Salcido challenged a student to come to his house where is isn't a school employee so he could kick the student's ass was referred in the letter of reprimand (Exhibit R). Mr. Salcido was directed to refrain from saying inappropriate, derogatory, and unprofessional comments toward any student. He was warned that failure to comply with this directive would result in additional disciplinary action.

Another incident was when Mr. Salcido hit a child that had his head down on the desk. When ██████ brought Mr. Salcido into his office, he admitted it saying, "It wasn't that hard and he had his head on the desk." Mr. Salcido went on to say he wasn't a good student and kept referring to the child as "Chaz". This was in reference to Chaz Bono because the child was overweight. ██████ wrote a memorandum summary of incident (Exhibit V). As a result, Mr. Salcido was suspended without pay.

██████████ – student:

██████████ was a student in Mr. Salcido's class during 2017 - 2018. Ms. ██████ said, "The first one that really scared me was one of the big ones where I knew. OK this guy is crazy. There

was another kid on the other side of the classroom talking how he and his parents voted for Trump. Why did you vote for Trump? Mind you this is just a conversation between that kid and Salcido. There were these kids next to me that were just laughing. They were having their own side conversation and he (Salcido) looks over and said what the hell are you laughing at? The kid said oh, sorry sir I was just... He (Salcido) said no, you're a fucking pig. He said chew your food, that's why you're not swallowing your food. And don't bring that rice in here anymore you bring your grandma's rice."

She continued, "After that incident it was so bad because I've never heard a teacher call. he literally called him a fucking pig. Oh my god, I've never hear a teacher say that. I've heard others cuss here and there, little times, but he (Salcido) would cuss every day and put people on the spot and not a good spot. There are some teachers that put you on the spot for learning purposes, not for spotting you out like I don't know why you're wearing that. He was attacking the kid".

██████████ said, "Every day after that when I walked into the class I didn't feel safe, I didn't want to talk".

██████████ said," He talks all the time about there is no God. And our parents don't really love us. Every single day he says something about our parents. That class is a US Government class and I haven't learned one thing.

██████████ said, "If you're late to class he makes kids do a squat. There are kids that don't like to do it because they feel embarrassed. He says if you're going to come into my class late there is going to be a consequence, you're going to squat. There are some people that don't want to do it, there was this one girl the other day and she started to cry. She said I don't want to do a squat, please sir I don't want to. Mr. Salcido said you're going to do a squat, you're not going to sit down until you do a squat so you need to put everything down and do a squat. The girl's name is ██████████ and she is in IEP with ██████████". She said this happened in January on the last day Mr. Salcido was in the room. She said there have been about 5 student forced to do squats since the start of the semester in January 2018.

When I asked if Mr. Salcido ever talked about suicide, ██████████ said, "Mr. Salcido said I don't understand why everyone feels so bad about this kid that died because it's your body and you can do whatever you want with it". She said it was weird and sounded like he was giving them advice. She was shocked. She had never had a teacher like him before.

She continued, "He would give you lectures on things and then after everything he said he would say don't go out and say, Mr. Salcido said this. So don't go out unless you believe it. If you believe what I'm telling you then you go out and tell people but if you don't believe what I'm telling you then don't tell anyone. It's like he would make us believe what he says. Everything he said, we had to believe it. That particular topic in your mind, he's putting so many pieces together and everyone's just thinking, wow that's true."

██████████ said, “Everyone in that class was so like ... You could tell the type of person that would just listen and not say anything because they were scared. You could tell there was ... I felt it I felt it, you could tell a lot of people in there were scared. No one really talked in the class. People talked but not really to him. There was really no ... He’s the one who would pick on you. It was always him picking on you. You could feel the tension in the class, everyone was kind of scared”.

██████████ said Mr. Salcido told the class that if he had to kill everyone in the classroom to save his family he would do it. That shocked her she said, “Who says that to kids?” When a girl asked what if she was with his wife and daughter, he said it would be your lucky day.

She said the class was broken up into groups of 4 to 5 kids. One of her group named ██████████ as always getting picked on. Mr. Salcido said, “Hey dude, shut up kid huh.” She said he was a little goofy, “Kind of ADHD”. She was always telling him Shhh to keep him from getting picked on.

She told me other kids say he’s a cool teacher, he doesn’t give homework. It was the one thing everyone looked forward to, no homework.

██████████ – **former student:**

██████████ was in Mr. Salcido’s class her senior year in 2016. Mr. Salcido made inappropriate statements during lectures. ██████████ said, “I feel like they were his opinion”. Mr. Salcido talked about pornography frequently. He would make stupid comments like, “You guys probably watch it on your phones”.

██████████ said, “When people arrived late to class they would be told to do squats or pushups or he would tell you to leave. This was during the 2016 semester. There was this one time where two girls arrived late and he made them squat in front of the classroom. It gets the class laughing”. “Some kids went up to him after class to complain about squats and he just told them to get out of here”.

██████████ said Mr. Salcido singled out specific students. She said, “It could be about race or ethnicity or a band shirt they were wearing or sport shirt that their wearing. He made fun of an Asian girl’s (██████████) eyes. If you were bisexual or gay, he would single you out a lot. He asked why you were like that, why you were gay and if your parents allowed that. Religion, especially religion, especially if you believed in it he would say things like why would you believe in such fairytales. It’s like believing in Santa Claus. He would try to take these things away from you. Anything you believed in he would try to get you to his way of thinking. If you thought the way he thought you were OK, but if you thought differently he wouldn’t leave you alone”.

██████████ told me Mr. Salcido would say he was open to your opinions. She said, “I tried voicing my opinion, but what did I get in the end? It didn’t go well in the end. It got to the extent where

he called me a bitch in class. I would voice my opinion every day. When he would say something that I didn't think was appropriate for the class to hear I would speak up. I would try saying something in return. When he saw that I was trying to speak up he would try to make me look not too good in class and I would intentionally try to embarrass him back. I did that during Sociology and then when Government class came around he singled me out in class and he pointed me out and said this girl right here, she's been acting like a bitch lately. I didn't say anything back. I went after class and tried talking to him. I said I want to talk to you. He said about what, what do you want? I said about what you said in class. He said he was just playing around, go about your day. He was trying to brush it off. I said well I think there should be a boundary between a teacher and a student. I don't think you should be calling me a bitch in class. I don't think you would appreciate it if I called you something like that or called your wife that. You'd be very upset. He said he was just playing. I said I'm not here to be your friend, I'm here to be taught the curriculum and I don't want to be your friend. He said OK and that he respected that and we kind of left it at that. I said if there was another incident like that I was going to report him. The following days after that he really picked me out every day, picked on me. After that I had just had it and I wanted to switch out. That's when I went to go talk to [REDACTED] and I made the report and he was all oh he's just playing around, the kids like that". During this meeting with [REDACTED] [REDACTED] also complained about the comments Mr. Salcido made in class about how he thought it should not be illegal to download kiddy porn. She recorded it in class and tried to play it for [REDACTED] who refused to listen to it.

[REDACTED] said, "It went to the extent that my parents came to the school and spoke to the counselor ([REDACTED]). Her dad said he heard the recording my daughter showed me about the pornography and I don't think we should have a teacher like that on the campus. He ([REDACTED]) said oh he doesn't do anything he's not a threat. He kind of brushed it off as well. My dad said if you have a guy like this on campus, one day some other parent is going to be really mad and come here to do something about it physically, not even coming to talk to you. He ([REDACTED]) didn't pay any attention so I had to just put up with it the rest of the semester.

I asked [REDACTED] when this happened. She said, "The middle of the semester maybe around December maybe in 2016 going into 2017". [REDACTED] said she told both [REDACTED] and [REDACTED] about the recording. When I asked if she played the recording she said, "No, he didn't want to hear it. I showed them and I started playing it and he was like, that's OK we don't want to hear it".

I asked [REDACTED], "So you told [REDACTED] that he had made comments in class that it shouldn't be illegal to download child pornography or as he says kiddy porn, and [REDACTED] said he did not want to hear that recording?" She said, "I said do you want to hear the recording, I mean I have it, he said no that's OK, you can write a report if you want I'll leave it here (the form). I wrote a report about him calling me a bitch in class and I don't know if I put it on the report about the recording, but I did tell [REDACTED] I had the recording. And I also told another counselor about it and they did nothing about it either". When asked she said it was [REDACTED].

I asked [REDACTED] “so when he treated you like this, how did it make you feel”. She said, “I honestly got really depressed. I got really depressed. I couldn’t do anything about it. Like wow, why am I going here, why am I even trying”.

I asked if Mr. Salcido ever talked about suicide. She said, “Yes there are recordings of it”. She said, “I remember this one incident that really got to me where ... a lot of kids at the school do not have the best GPA, and I remember him saying stuff like if you didn’t do good academically these 4 years or if you have a low GPA like 2 point whatever, you might as well just go jump off a building because your life is pretty much over. He would just laugh about it. He would ask kids what their GPA is and anything below 3.0 he would make those comments and pick on them.

[REDACTED] – Student:

[REDACTED] had him last year for sociology and now this year for government. She said, “I like him because he’s my teacher. He is the type of person that wants to be right. If a student says something different, Mr. Salcido will argue with him until he is right. If you disagree with what he says you really need to stay quiet. Things he says should be a class discussion, but they really aren’t. They are just him telling us his way.”

When we got into class Mr. Salcido started talking. A girl was talking so Mr. Salcido looked at her and said, “[REDACTED], I’m fucking talking. What don’t you understand, it’s my rule.” The student is very sensitive and started crying. When this happened, another student that was eating, started choking so he was making noise. Mr. Salcido looked at him and said, ‘What are you laughing at, eat your food you fucking pig’. The boy was still laughing so Mr. Salcido said, “chew your food and next time don’t bring that kind of rice into this classroom, only bring your grandmother’s rice” (The boy had told Mr. Salcido it was African rice).

If you are late to class, he makes you do a squat. One time [REDACTED] came in late and Mr. Salcido said, “You know my rule, its either a squat of a pushup. The girl said she wasn’t going to do a squat. Mr. Salcido spoke to her and then she left the room crying”. A while later she came back into the class room and Mr. Salcido got a call about it. He said, “yea, she’s OK”. It’s like [REDACTED] went and told someone and they called the room.

Mr. Salcido said suicide should be our decision, it shouldn’t be wrong or a sin. We should have the right to choose.

Mr. Salcido talks about how we shouldn’t give our phones up. There was a day this year that I got a referral and they wanted my phone. I said, With all due respect, I can’t give you my cell phone because I was not using it and my parents paid for it.

I told her the district believes teachers and students should treat each other with respect. If a teacher singles one person and yells at them or swears, it does things to them and makes them feel really horrible. If you’re making the rest of the class laugh because your picking on one person, that’s not OK. She said, “No that’s Bullying”.

[REDACTED] said, "Like with that whole situation that happened with the video. There is a time and a place where you can say things. He could have talked to the kid in front of the class without using all those words. He could have asked him why he wanted to join without all those bad words. I asked her if Mr. Salcido singles out someone in class and attacks them and it hurts their self-esteem and they're having other issues in life, and then if they were told it's ok to kill yourself, where does that end up. She responded with, "that ends up as advice for the kid".

[REDACTED] - **Asst. Principal** / [REDACTED] :

He was brought into the school as an assistant principal [REDACTED] on October 1, 2017. He was also assigned to evaluate several teachers including Mr. Salcido.

The district uses the Evalu-Ed program. There are two evaluations per year. There is already one in the system and we are preparing the second one. One area of concern is his absences from the professional development sessions. He is doing better lately.

[REDACTED] said, "When I did his evaluation he said "F" something and I said we're not doing that. So I know about his swearing".

[REDACTED] said, "In the short time I have been observing him around campus and in the class room, generally he's a decent guy, but once in the classroom he's so stuck on his teaching methods and that's where I have been harping on it because it's not lecture anymore it's interactive education. It's so tough for him to change, I've given him ideas. His own department has given him ideas. If we take him as a person minus his thoughts, he really is trying for good, but I don't know if he can manage himself and really do what he wants to do in a professional manor".

[REDACTED] - **Student**:

[REDACTED] had Mr. Salcido her freshman year (2011) and sophomore year (2012). [REDACTED] said, "I had him my freshman year for the US Government and Politics class. I'm a Christian and he knew that and so, multiple time throughout the year I was called on. I was singled out in front of the class and basically had to explain to the class why I believe what I believe and he was very intimidating. He one time asked me well if God loves everyone so much why did he let so many people burn to death on nine eleven. I was only a 14 – 15-year-old high school student and here's my teacher asking me this question and it's the manner in which he asks you the question and he puts you on the spot in front of the whole class". It was more than one occasion for me. There were other kids in the class that were singled out too. If you don't agree with him, you got ridiculed.

I would sometimes wear Christian t-shirts and I got singled out for it. I was only 15 and this was

my teacher who belittled me and what I believed. I'm only 15 so I don't have all the answers to his questions and I tried to explain that to him. I felt this was enough, the way he was talking to some students so I went to the administration and made a complaint against him.

If you were late for class, he would have you do pushups or jumping jacks or dance in front of the class and everyone would watch you. It was his way to make you pay for being late. It humiliated you and for girls that wore tank tops or shorts, to make them do exercises in front of the class, I don't think it's appropriate at all. What he did was intended to humiliate the person. I was singled out more than 10 times throughout the year. She knows multiple kids that have gone through this. Especially if they're Christian.

He liked to talk about the 4th amendment. He would tell us he smokes marijuana and that you don't necessarily have to tell the police the truth if they pull you over. I don't think the things he told the kids were appropriate or even relevant to the class.

██████████ – Asst. Principal ██████████ :

██████████ told me that on January 30, 2018, a parent came in to file a complaint about Mr. Salcido. His daughter was present and gave a witness statement.

The complaint was that overall she doesn't feel safe in the class and never speaks up. She even shushes other students if they start to speak up because she didn't want to get the attention of the instructor.

She gave an example of a kid that brought some brown rice into class and Mr. Salcido called him a fucking pig and to only bring his grandmother's rice into class. The student's name was ██████████.

The student also shared that Mr. Salcido, trying to make a point, said that if they were in a dangerous situation he would kill all of them to save his family.

Another incident of bullying was last year, when a staff member from Rio Hondo College came to campus to tell our students about the Rio Hondo Promise Program. Kids that graduate from here would get free tuition. She was asked to go into classes to promote the program. When she went to Mr. Salcido's class to schedule the promotion, she felt he was accosting her and said "Rio Hondo was no good and that if someone gives you free dirt it's still fucking dirt". The employee came to the office and wrote a witness statement for the principal.

██████████ – Counselor ██████████:

██████████ is a Student Counselor and said she has moved about 25 students out of Mr. Salcido's classroom in the last 11 years, 2 in the last 3 years. During the last 3-4 years she started not placing certain kids in his class. About 10 kids have come to her and asked not to be placed in his class. Anyone that she knew was pro military or not a highly motivated achiever was not placed in his class. She said it wasn't fair to put those kids in there because of his tactics.

She said students complained about having to do calisthenics if they didn't complete an assignment or were late. She would ask the student if they wanted to write a statement and most said no. She would then ask them if they would feel more comfortable in another class or having a meeting with Mr. Salcido. She stated she moved one or two because of this. The rest said, they would try to get to class on time.

██████████ said Mr. Salcido behavior rises to the level of being a bully and she wouldn't want her child in his class. She feels intimidated by him and avoids getting into heated conversations with him because he would belittle her, but that has not happened.

██████████ said she advocates for the students and does not feel Mr. Salcido should be in the class room. She feels really bad for her student ██████████ because he is so quiet and someone can bully him.

██████████ – Counselor ██████████

██████████ is a student Counselor and said she had 3 students, this last semester, come to her asking to be moved from Mr. Salcido's class due to their military ambitions. She also said if she knew kids were military minded she wouldn't place them in his class. Some kids would also come to her after being forced to do exercises for being late. If a student came to her because of the way they were being treated by Mr. Salcido she would move them to a different class. She knew they wouldn't have a chance in his class. She knew their self-esteem was being attacked.

██████████ remembered a young girl back in 2004 or 2005 that graduated and joined the Army. She went to boot camp. She came back and they talked about how the situation with Mr. Salcido wasn't good. She also remembered a boy that didn't do homework or something with a book, and he cried. I told him ok, go back and apologize to Mr. Salcido and tell him you'll do the work. I ended up moving him to another class. This goes back throughout my entire time here.

██████████ said she had a parent yesterday that wanted to know about the sociology class. It happened to be a parent that was Caucasian. She was a student of Salcido and now her son is a student of Salcido. Her son has a high GPA of 3.8. She said when she was a student in Salcido's class she asked to move out of his class because he doesn't like whites. She asked her son, ██████████,

if Salcido made remarks about whites and he said ya and about being Christian and about the military. [REDACTED] spoke with her administration, [REDACTED]. She was told to ask them if they want to write a statement. They did not. The son said when he goes to Salcido's class he lets comments go in one ear and out the other.

[REDACTED] said she had one mom that was upset and was trying to save her daughter who was in Mr. Salcido's class. She just doesn't have a chance it's ripping her down. [REDACTED] said, "Oh god, we'll get her out because well you know" ([REDACTED] was the last name of the girl). It wasn't a secret, the administration knew, but he wasn't going away so she had to protect the kids. Some kids liked the class, but you had to play the game to succeed. She said, "If a student came in and said they were uncomfortable in the class she would definitely pull them out". She said, "One girl I got new two weeks ago, she was going into the navy, she plans to do that. She was a senior, very high strung, we were trying to figure out. I said so Sociology, that's a good... oh nope, your Navy ... and you just know not to put them in".

[REDACTED] – **Asst. Superintendent, [REDACTED]**:

In May 2012 Mr. Salcido admitted to smacking a kid in the head. He was suspended for that incident. When he came back he had an improvement plan. He did fine for a period of time, but last week when he was gone to Washington, the lesson plans he left for the substitutes said just study period for 4 days.

[REDACTED] said that during a golf tournament Mr. Salcido made comments to him. He said he felt that only certain race of teachers should teach that race of kids.

[REDACTED] provided me with many witness statements. He was also concerned that Mr. Salcido doesn't attend his prep period or professional development meetings. He said he lives across the street and isn't on campus during those meeting times.

When the district entered into a contract with a drug sniffing dog company, Mr. Salcido refused to let the dog into his classroom. He told the kids it was an illegal search.

[REDACTED] – [REDACTED] **Administrator, former student:**

[REDACTED] said Mr. Salcido referred to [REDACTED] "Fat Jesus" because he was overweight and a Christian.

[REDACTED] TA from last year, [REDACTED], came into the office because she was afraid of Mr. Salcido because of the way he singled out kids and humiliated them. She always urged the kids at her table to stay quiet to not bring his attention to them. [REDACTED] asked her to fill out a student statement which she did. [Exhibit A]

██████████ – Dean ██████████:

She handles the discipline at the school for the last year and three months. She was a teacher in the history department. She and Mr. Salcido were in the same department and subgroup.

She said Mr. Salcido is unprofessional, not a good representative of teachers in general based on her interactions with him in the few professional development meetings he attended. He skipped most meeting. Whenever there was discussion it was only his opinion that counts to him. She eventually chose not to engage with him, “There’s no point in poking the bear, I just choose not to engage with someone that isn’t rational”.

Many students have told her they choose to be silent in Mr. Salcido’s room and not voice their opinions.

She said Mr. Salcido is rarely on campus during his prep period. Since she has been at the school, 14 – 15 years he usually goes home or to the city office.

When she was a history teacher she would work with her colleagues to develop lesson plans, but Mr. Salcido never cooperated.

One incident, 1/18/18, a student was wearing a shirt that was inappropriate because it had drug paraphernalia on it. The shirt was confiscated according to the school’s policy and he was given another shirt to wear. The kid’s mother came in and was upset. She said Mr. Salcido told my son that he didn’t have to give you his property. She said it violated his rights. Her son listened to what Mr. Salcido said took it as fact. ██████████ explained that she followed the school’s protocol and Mr. Salcido’s opinion was just that.

Another incident on 10/10/17 was a student was caught using her phone during class. She was sent to the office and refused to give her phone to the administrator. She said, Mr. Salcido said I don’t have to give you my phone and that I should refuse to give it up. ██████████ ended up calling the mother who told her daughter to give up the phone.

She said Mr. Salcido leaves kids in the hallway. Mr. Salcido disagrees with sending them to the office and just puts them out of his room. ██████████ would see the kids in the hallway and open his door and put them back into the room. She refused to talk to him about it because it was a waste of time.

██████████ said that suicide prevention has been discussed at numerous staff meeting including how to deal with it. Mr. Salcido never attends these meeting.

██████████ – Asst. Principal, ██████████ :

He is an interim Asst. Principal of ██████████. He was previously a teacher and Principal in the district.

When he was an administrator he had occasion to interact with Mr. Salcido several times. He would give him pointers and advise him to stop having the kids do pushups. There was a complaint from a parent that her daughter was made to do them while wearing a skirt.

Since then and more recently he has had conversations with students that they would have to do a squat or pushup.

He said they used to have drug dogs to use from time to time when there was an incident involving drugs in a certain wing of the school. Mr. Salcido refused to let the dogs in. When ██████████. ██████████ went to talk to him, Mr. Salcido tried to make a big issue in front of the class claiming it violated their rights. ██████████ defused the argument in the classroom by leaving.

██████████ was asked by ██████████ to take witness statements from students over the anti-military issue. He discovered another incident where a student that was eating rice in class was singled out by Mr. Salcido and berated with cursing and degrading comments. ██████████ followed up and got statements from student about that as well.

██████████ – Director ██████████ :

She has been in district for 21 years. She oversees the mental health department among other things. The district has a suicide prevention policy with available training. She has two mental health counselors that are based here. They have addressed staff in Professional Development days. They just had an incident so they have been talking about it.

They started a suicide prevention campaign and provide resources staff and student. Also met with teachers in circles and students to discuss ways they can help prevent or reach out and report to. They have a “text a tip” line for anyone to use 24 x 7 with mental health and school police officials monitoring.

██████████ asserted that having a teacher tell students that suicide is their decision is not an acceptable position or part of their policy.

Mr. Salcido has never referred a student to her for disciplinary or other reasons.

██████████ stated that there was an issue with Mr. Salcido using corporal punishment to discipline students. He would have them do pushups. After some guidance from the County Office of Education as to whether this was acceptable as a punishment they said, “nope, that’s

corporal punishment and he is not allowed to do that. That information was passed onto the school and they told him to stop. Squats and jumping jacks were also not allowed.

Especially after the videos she is concerned over the Bullying factor of students with Mr. Salcido. Students are intimidated and called to the front of the classroom if they disagreed with him.

Mr. Salcido was part of the Olweus Bullying Prevention Program which really outlines what Bullying is and addresses what we need to do to help support students if they have concerns. Mr. Salcido was trained in this program. [REDACTED] provided the sign in logs for the two-day class with Mr. Salcido's signature on both days.

[REDACTED] – student:

[REDACTED] said, "Mr. Salcido said most people that commit suicide are seeking attention. That's why most people do it by hanging themselves or shooting themselves because it's extravagant, it's a bad scene. He said most people who do that are seeking attention. He did say it sucks pretty much". Mr. Salcido said, "If you wanted to end your life you could do it because it's your body you can do what you want".

Computer Forensic Report:

On Feb. 2, 2018 I met with [REDACTED], District IT Manager. [REDACTED] provided me with the hard drive he removed from Mr. Salcido's classroom computer.

Drive: Western Digital WD80 OJD
Serial Number: WMAM9D213571

On Feb. 2, 2018 I created a forensic image of this hard drive. Using the forensic software, FTK 6.1, I indexed and analyzed the data on the hard drive. The following evidence and conclusions result from that process.

Evidence:

- 1) 11 documents associated with the City of Pico Rivera and not El Rancho Unified School District. These documents were created between 3/1/14 and 12/10/15.

[Exhibit X-1 to X-11]

- 2) An image of a post from a Facebook account "Gregory Salcido dated Jan 27, 2018 at 1:38PM. This post shows a vulgar and profane attack on members of the military.

[Exhibit X-12]

- 3) 4 images recovered from deleted file space: [Exhibit X-13 to X-16]
 - a. An image of a young boy standing behind a large Sumo Wrestler pulling on his “Mawashi” (thong like garment).
 - b. A large breasted woman wearing only a revealing bra and lifting her breasts.
 - c. A nude woman kneeling on a bed.
 - d. A nude woman with small pasties on her breasts.
- 4) 2 examples of GregorySalcido@gmail.com emails among hundreds. These 2 are Pico Rivera city business as are many others.

[Exhibit X-17 to X-18]

Conclusions:

This hard drive contains a user profile named “ssteacher”. It was created on 08/14/2014. Any files in this profile area therefor were saved there after this date.

This computer profile area appears to be exclusively used by Mr. Salcido. There are hundreds of documents and emails including ones from a private Gmail accounts belonging to Mr. Salcido.

Mr. Salcido stated he did not share his password with anyone else for the computer in his room.

Each piece of evidence speaks for itself and shows inappropriate images for a school computer and work time spent on City of Pico Rivera business. The Facebook post shows Mr. Salcido’s complete disdain for members of the military using personally addressed profanity, “If you’re a Veterans and reading this; fuck you!”.

Whether these items represent free speech or not, they are on El Rancho Unified School computer equipment and violate the terms of the “El Rancho Unified School District Acceptable Use Policy for Employee Use of Technology Resources”, specifically these two areas:

“While using District technology resources each employee must act in an appropriate manner consistent with District, ethical and legal principles. This includes any remote access which employees may gain off -site, but which involves the use of District sites, servers, intranet facilities, email accounts, software or equipment. It also includes the use of personal technology resources when such personal resources are utilizing District servers, intranet facilities, email accounts, software or storing or accessing ERUSD data.”

“Employees are expected to model tolerance and good manners. District technology resource users agree not to send, access, submit, publish, display or print hate mail, defamatory statements, vulgar, derogatory, obscene, profane, sexually oriented, threatening, offensive or illegal material or language over the Internet or using ERUSD technology resources.”

Findings of Fact:

- Mr. Salcido stated during his interview that his teaching goal is “It’s not right or wrong, It’s weak or strong”. He then says, “Right or wrong is irrelevant”. Mr. Salcido has demonstrated acts of bullying in his classroom for the last decade. His attempts to force students to see his way of thinking or to suffer his wrath are obvious when he attacks, belittles, disrespects and humiliates his students in front of the entire class.
- During the last decade Mr. Salcido has receive numerous letters of reprimand, Notice of unprofessional conduct, Notice of unsatisfactory conduct, memos outlining unacceptable behavior and verbal guidance not to swear, name call, threaten, kick out of class, use racist remarks or bully the students. In most of these letters were copies of District and school policies, rules and Ed codes for him to study in order to behave professionally.
- Mr. Salcido stated in his interview that he doesn’t remember receiving copies of the districts policies and rules despite having signed for them. He also stated he still doesn’t know how to fill out a referral slip.
- As late as January 2018, Mr. Salcido is still swearing at the students, singling them out and belittling them for their beliefs, bullying and forcing his beliefs on them until they cower and sit quietly at their desks hopping to be invisible and not get picked on. If that fails, he is still kicking them out of class without a referral.
- In statements made to the administration and memorialized in disciplinary memos, Mr. Salcido has stated he is fundamentally opposed to the disciplinary policies of the district.

He agrees to follow them, but history shows he does not.

- Mr. Salcido attended a two-day anti-bullying class and yet bullies his students in exactly the same ways he was taught continued bullying. During his interview he claimed not to remember attending the training in spite of having the sign in and out pages for both days with his signature.
- Mr. Salcido told his students that they don't have to surrender their cell phones to administrator because it's their property. Students have quoted Mr. Salcido while refusing to surrender their property. Students believe what he says and act on it.
- Mr. Salcido stated to his class that he believes it should not be illegal to download "kiddy porn" since they were not in the videos and did not make them.
- Mr. Salcido stated to his class that it is their right kill themselves if they want to because it's their body and people that try to commit suicide and fail should be arrested for attempted murder.
- Mr. Salcido told his student's they might as well jump off a building if their GPA is low because their lives are over.
- Mr. Salcido uses racial slurs like "Nazi and Beaner" and other derogatory nick names like "Chaz" (for Chaz Bono) referring to a heavy student.
- Mr. Salcido challenged a student to fight him after school and off campus.
- Mr. Salcido used corporal punishment on student he hit in the head to make his point when he laid his head on his desk for a moment. The County Office of Education classified making the students do calisthenics for being late as corporal punishment and the administration told him to stop. Mr. Salcido did not stop.
- Mr. Salcido violated the "El Rancho Unified School District Acceptable Use Policy for Employee Use of Technology Resources".

Further Findings Based on Overall Investigation. In this investigator's professional opinion, based upon the investigation as a whole, the following are more likely than not to be true:

- 1) Mr. Salcido has been bullying students in his classes for more than a decade by singling them out in front of the class with berating comments, racist slurs, attacks on their self-esteem and their religious and family beliefs. These students are typically shy, have low self-esteem or have special needs. The students that get the most Bullying follow a pattern where they are White, Asian, Pro military, Christian or gay.
- 2) Mr. Salcido stated in his interview that his teaching style is "it isn't right or wrong, it's weak or strong". He demonstrates his strong argument style by singling out these students and berating them, humiliating them. attacking their self-esteem and making examples out of them in front of the class and kicking them out of class without referrals to roam the campus.
- 3) Mr. Salcido uses the humiliation of calisthenics in front of the class to shame students when they are late for class even if they have a signed excuse. A girl in a short skirt was berated in front of the class to do a squat until she left in tears. He was previously warned by administration in writing to stop this practice as it constitutes corporal punishment.
- 4) Mr. Salcido stated to administrators that he fundamentally disagrees with the district's disciplinary procedures when he received improvement plans and letters of reprimand but agreed to stop using calisthenics and kicking students out of class without a referral. He ignores this agreement and the district's policies and is still doing both this semester.
- 5) Mr. Salcido teaches the students to disobey and challenge the administration and even law enforcement officers. He tells students not to complying with the school's policy to confiscate cell phones used in violation of the rules and tells them they can lie to a police officer if they are stopped and they have drugs in their possession. Mr. Salcido has refused to cooperate with the school board policy to randomly use drug sniffing dogs on campus to walk through his classroom after recent incidences involving drugs were being investigated.
- 6) Because of Mr. Salcido's position as a teacher and community leader, controversial statements he has made in class are taken to heart by students as truth and sound advice. Students have relied on his statements as justification to refuse to surrender

- their cell phones. They return to him and brag that they followed his advice so he knows it. This can likely put students in danger of acting on his other statements like “It’s OK to commit Suicide, it’s your body” or it shouldn’t be illegal to download kiddy porn” or “The military are the lowest of the low”.
- 7) Mr. Salcido leaves campus most days during his prep and professional development periods to attend to his personal agenda. He has been doing this for years. He was spotted by the school board president at City Hall during school hours and questioned about it. He lied during his interview claiming this never happened. He has never reported his reduced work hours to the administration and has accepted his full pay the entire time.
 - 8) Mr. Salcido lied repeatedly during his interview stating he has never raised his voice at a student, never used any curse or swear words in class, never singled out any student with humiliation or racist comments. He also lied about using calisthenics as a punishment and kicking students from his room without a referral.
 - 9) Mr. Salcido’s actions show that he believes he can do or say anything he wants in the furtherance of his personal beliefs and ideology. While using his trusted position as a teacher he bullies students into believing his way of thinking. He used his district computer for highly questionable and inappropriate purposes. While he may believe his free speech rights protect him, his insensitive, immoral and demeaning delivery of his opinions through bullying the school children do not.
 - 10) History shows Mr. Salcido will not stop his unacceptable behavior no matter what discipline the district uses on him. Mr. Salcido places his students in physical and Emotional danger with his behavior. Removing Mr. Salcido seems to be the only way to protect the students.

Respectfully submitted:

Steve Hummel
Calif. Professional investigations
Cal Lic. PI10625

Exhibit A

EL RANCHO UNIFIED SCHOOL DISTRICT
Declaration of Witness Statement

Date of Incident Second School ERHS

Who was involved in this incident? Semester (Water polo)

Where did this incident take place? Mr. Salcido class

What time or period did this incident occur? 4th Period

Explain in detail what happened:

So there was this kid in the classroom
who was talking about trump and said
something funny about him, and
this other kid () who was eating rice
had started laughing and Mr. Salcido
scolded him and said "who was talking to you,
your afucken pig, chew your fricken food man
you can't even eat because your over here
laughing"! And the kid got all red and didn't
know what to say. Mr. Salcido then told him
and don't bring that damn rice in here anymore
you bang your grandmas rice no other rice"!
This was one of many things he had told
a person/class.

I declare, under penalty of perjury of the laws of the State of California, The foregoing is true and correct.

Executed (date) 1/29/18, El Rancho High School, Pico Rivera, California

Print Name SID# Birthdate

Declarant's signature Grade 12th Today's Date 1/29/18

Witnessed by Date 1/29/18
(Stair signature)

The testimony of the witness may be presented at a hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of witness, shall be made available to the pupil.

He doesn't really teach us what were supposed to be learning, he talks about himself and his family a lot! He was a good teacher when it came to talking realness in the class but just a lot of things that shouldn't have been said at all, there were too many times he slipped in class when talking and didn't realize it. There also was one time where we were talking about a topic to do with regulations and safety and he said that if we were in a building with his wife and kid and he had to kill he would kill us all. And this girl in class said "well what if I was with your wife and kid and he said well your in luck. Everytime im in his class I do not feel safe what so ever because I feel like if I talk he will scold me, I would even tell my peers to not laugh, I was just nervous to speak.

Exhibit B

183

EL RANCHO UNIFIED SCHOOL DISTRICT
Declaration of Witness Statement

Date of Incident January of 2018 School ERHS

Who was involved in this incident? myself

Where did this incident take place? A-103

What time or period did this incident occur? 4th

Explain in detail what happened:

I remember walking into class with a cup of rice I made in [redacted] class in one hand and ~~the~~ papers in the other. Class had already started and I was tardy, so I went up to him and handed him my slip. He then asked me, "What's that you got there?" I then told him sarcastically, "a stack of papers," he then replied to my answer saying, "not that you idiot," then I told him, "It's african rice." I then sat down and began to eat. He began a lesson, but one of the other students wouldn't stop talking, and Salcido became furious at the student. He began to lecture her about being silent during

I declare, under penalty of perjury of the laws of the State of California, The foregoing is true and correct.

Executed (date) 2-1-2018, El Rancho High School, Pico Rivera, California

Print Name [redacted] SID# [redacted] Birthdate [redacted]

Declarant's signature [redacted] Grade 12th Today's Date 2-1-2018

Witnessed by [redacted] Date 2/1/18
(Staff signature)

The testimony of the witness may be presented at a hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of witness, shall be made available to the pupil.

his lesson. After he scolded at the student he then said, "So everybody's job in this class is to shut the fuck up!" At the other end of the classroom, meanwhile he was scolding the one student, a buddy of mine cracked a joke that I thought was really funny. I then began to laugh aloud and Salcido then turned his attention to me. (Keep in mind that he is already upset) He then asked me, "What's so funny?" and I replied with "nothing." At the moment I had a spoonful of rice in my mouth and it made me laugh excessively. He saw that I would not stop laughing and he ~~then~~ said, "Shut up and eat right you fucking pig." I was then angry at his remark, but I decided to let it go and try to stop laughing. He embarrassed me, but I did not say anything back because I knew it would only make the situation worse. The class then went on and Salcido got through his lesson.

To add on to the subject matter:

My personal opinion on Salcido is ~~is~~ awful. He is an immature and deceptive man. His actions were never really thought through very well. Although, there were many times he would make the class laugh and keep them entertained it would be because of his immaturity and wrecked philosophy. I'm sure he is a good father

and husband, but in no way is he fit to be a teacher. He dictated many times who was right — it was always him. Yet nobody spoke up and said anything. It's probably because:

- 1) In order to graduate you must pass his class and nobody would dare challenge him.
- 2) ~~Most~~ ^{Some} Students felt intimidated by him.
- 3) Most students don't like to start up drama and have to go through the process of filing a report or filling out a sheet like this one.
- 4) As teenagers, we just go on with our day and brush off what had just occurred and pay no mind to it.

Some students can say that he was a good teacher and he doesn't mean any harm, which is true — but only for them. Salcido treated students differently, and graded students differently based off his favoritism.

Salcido also knew who were the students that would tolerate his "jokes" and comments. Many times he would mistreat the students he knew wouldn't snitch (like myself and many others) But he wasn't always right.

For any questions or clarifications:

E-mail → [REDACTED]

Exhibit C

EL RANCHO UNIFIED SCHOOL DISTRICT
Declaration of Witness Statement

Date of Incident January School ERHS

Who was involved in this incident? Salcido and [redacted]

Where did this incident take place? A103

What time or period did this incident occur? 4th period

Explain in detail what happened:

Class began and a student was being disruptive while Salcido was speaking to the class about an editorial. When he asked the student to be quiet, [redacted] was eating rice from his cooking class and began laughing at the fact that the student got told something. When Jose was laughing, he sort of choked and Salcido got upset and told him that he is a pig and he shouldn't be eating and laughing. After that, Salcido told him to not bring rice into class anymore. [redacted] stayed quiet after and stopped eating his food.

Eating

I declare, under penalty of perjury of the laws of the State of California, The foregoing is true and correct.

Executed (date) 1/30/18, El Rancho High School, Pico Rivera, California

Print Name [redacted] SID# [redacted] Birthdate [redacted]

Declarant's signature [redacted] Grade 12 Today's Date 1/30/18

Witnessed by [redacted] Date 1/30/18

The testimony of the witness may be presented at a hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of witness, shall be made available to the pupil.

Exhibit D

1 B2

EL RANCHO UNIFIED SCHOOL DISTRICT
Declaration of Witness Statement

Date of Incident Spring 17-18 School ERHS

Who was involved in this incident? Mr. Salcido, myself

Where did this incident take place? classroom

What time or period did this incident occur? 6th period

Explain in detail what happened:

• asked him why he refers to my friend [redacted] as "Freddy" and he wanted to make a bet that I would refer to him as "Freddy" too within that same week and I turned the bet down because it was useless.

• as he was doing roll call, he says my name and when I said "here" he said "you havent been here all week and you're already talking sh*t."

• I chuckled as did the rest of the class and that's when he asked me what would I name my kids if I

I declare, under penalty of perjury of the laws of the State of California, The foregoing is true and correct.

Executed (date) 2/14/18 El Rancho High School, Pico Rivera, California

Print Name [redacted] SID# [redacted] Birthdate [redacted]

Declarant's signature [redacted] 12 Today's Date 2/14/18

Witnessed by [redacted] Date 2/14/18
(Staff signature)

The testimony of the witness may be presented at a hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of witness, shall be made available to the pupil.

had any and I said "I don't know I don't think about kids" and that's when he continued to ask the same question and I told him "why do you care". He then told me to pack my stuff and leave his class because he doesn't think I can handle his class. I asked him why and he told me it was because I answer his questions like a four year old.

- he refers to [redacted] who's Japanese as "Pearl Harbor"

- referred to me as the "Phillipines"

Now I took offence for but he says a lot of "humour related" racist remarks that frustrate me because I never found subject matter like that funny to me.

Exhibit E

182

EL RANCHO UNIFIED SCHOOL DISTRICT
Declaration of Witness Statement

Date of Incident January School ERHS
Who was involved in this incident? Class + Mr. Salcido
Where did this incident take place? A103
What time or period did this incident occur? 2nd per

Explain in detail what happened:

It started with one kid wearing a marine shirt, the kid that recorded was wearing a jacket, handed Mr. Salcido a paper and after he started going on about you only go/join the military if you have nothing better to do with your life. He says that no one gives you enough love and attention so that is your only option. Besides the military he does talk about his other belief (death). He makes fun of other people (Trump Ppl) Kind of

I declare, under penalty of perjury of the laws of the State of California, The foregoing is true and correct.

Executed (date) 1/30/18, El Rancho High School, Pico Rivera, California
Print Name [Redacted] SID# [Redacted] Birthdate [Redacted]
Declarant's signature [Redacted] Grade 12th Today's Date 1/30/18
Witnessed by [Redacted] Date 1/30/18
(Staff signature)

The testimony of the witness may be presented at a hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of witness, shall be made available to the pupil.

makes it seem like we should all think this way. In my opinion he should be there to teach us facts not put in what he thinks or believe. A lot of people are on his side because he is cool and fun put in this situation it wasn't right, the way he talks in general.

Exhibit F

EL RANCHO UNIFIED SCHOOL DISTRICT
Declaration of Witness Statement

Date of Incident January 2018 School ERHS

Who was involved in this incident? Mr. Salcido's Class

Where did this incident take place? A103

What time or period did this incident occur? During Second Period

Explain in detail what happened:

Class had started a couple minutes before. Mr. Salcido had asked for a student to collect the editorial when he soon realized he was wearing a marine shirt. Salcido soon started giving his opinion on it & how he could not be wearing that in his classroom. Not too long after he saw [redacted] with the Navy sweater and kept giving his opinion. Salcido did use harsh language, but his opinion was not directed for just that student it was for the whole class and he had us laughing including [redacted]. If it really pugged [redacted] he should of just talked to his counselor to switch classes & talked about what happened because the first student he talked did not make a big deal out of it.

I declare, under penalty of perjury of the laws of the State of California, The foregoing is true and correct.

Executed (date) 1/30/18, El Rancho High School, Pico Rivera, California

Print Name [redacted] SID# [redacted] Birthdate [redacted]

Declarant's signature [redacted] Grade 12 Today's Date 1/30/18

Witnessed by [redacted] Date 1/30/18
(Staff signature)

The testimony of the witness may be presented at a hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of witness, shall be made available to the pupil.

Exhibit G

EL RANCHO UNIFIED SCHOOL DISTRICT
Declaration of Witness Statement

Date of Incident January 18' School ERHS

Who was involved in this incident? Mr. Salcido

Where did this incident take place? A-103

What time or period did this incident occur? 2nd Period

Explain in detail what happened:

The comments that Mr. Salcido made did offend me. I personally have family and family friends in the military with college degrees and already have families so I was upset when Mr. Salcido called our military "the lowest of the low", especially because one passed away in Afghanistan. I overall hope that some sort of disciplinary punishment is made towards Salcido and even the student, since I don't agree with the posting of the video on social media.

I declare, under penalty of perjury of the laws of the State of California, The foregoing is true and correct.

Executed (date) January 30, El Rancho High School, Pico Rivera, California

Print Name [REDACTED] SID# [REDACTED] Birthdate [REDACTED]

Declarant's signature [REDACTED] Grade 12 Today's Date 1/30/18

Witnessed by [REDACTED] ✓ Date 1/30/18
(Staff signature)

The testimony of the witness may be presented at a hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of witness, shall be made available to the pupil.

Exhibit H



EL RANCHO UNIFIED SCHOOL DISTRICT

COMPLAINT AGAINST EMPLOYEES

Employee's Name: _____ School/Department: _____

Please state the nature of your complaint: MY DAUGHTER HAS ONLY HAD MR. SALCIDO FOR A FEW WEEKS. SHE SAYS EVERYTIME I WALK IN THERE I DON'T FEEL SAFE. I GET ANXIETY.

Please give details of specific occurrences, evidence, and reason: THIS KID WAS TALKING ABOUT TRUMP, OTHER KID STARTED LAUGHING SO SALCIDO TOLD HIM WHY ARE YOU LAUGHING. HE WAS EATING RICE, SO SALCIDO TOLD HIM CHOW YOUR FUCKING RICE. YOU FUCKED UP. HE ALSO SAID BRING YOUR GRAMMA'S RICE. (CRAB) HE IS SAYING AS A RACIST WHITE/AMERICAN RICE

Please state the harm or damage resulting from such acts: MY DAUGHTER IS TERRIBLE AND WAS GETTING ANXIETY. HE ALSO HATES TRUMP SO HE TELLS KIDS WHEN THEY VOTED FOR HIM, SALCIDO SAYS CLEARLY YOUR PARENTS DON'T LOVE YOU.

Please state names of witnesses or other proof in support of the allegations: (Attach any relevant documentation): CLASSROOM (WATER POLO CAPTAIN) HE MANIPULATES CLASSROOM BY MAKING THEM BELIEVE THAT WHATEVER HE SAYS IS REAL OR TRUTH.

Complainant's Name (Print please): _____ Date: 1/29/18

Address: _____

Phone Number: _____

Site Administrator's Signature: _____ Date: 1/29/18

Site Administrator's Action: _____

I have read this report and understand that I have five work days from this date in which to respond or submit my own comments for the record.

Employee's Signature: _____ Date: 1/29/18

Asst. Superintendent, Human Resources Signature: _____

Completion Date: _____

Follow-up Completion Date: _____



He also said, THAT IF HE HAD TO
PROTECT his family meaning wife &
kid, IT HAD TO COME DOWN TO
IF he would kill them. (classroom)
SO A GILL ASKED WHAT IF I WAS WITH
YOUR WIFE & KID, SALCIDO SAYS THEN YOUR
SAFE.

Exhibit I

EL RANCHO UNIFIED SCHOOL DISTRICT
Declaration of Witness Statement

Date of Incident Fall 17-18 School ERHS

Who was involved in this incident? Salcido

Where did this incident take place? In class

What time or period did this incident occur? Per. 3

Explain in detail what happened:

What I could recall from is that he
would talk the military a couple of times
and one thing I remember him saying was "People
who goes there had no future in life" and "they
would not go to college even if the government would
pay for it." I also remember him talk about
~~religion~~ ^{religion} and how all ~~religion~~ ^{religion} or gods
do not exist. He would call out students who
believe in gods and make them explain why
and then he would tell them its "bullshit"

I declare, under penalty of perjury of the laws of the State of California, The foregoing is true and correct.

Executed (date) 02/13/18 El Rancho High School, Pico Rivera, California

Print Name [REDACTED] SID# [REDACTED] Birthdate [REDACTED]

Declarant's signature [REDACTED] Grade 12 Today's Date 02/13/18

Witnessed by [REDACTED] Date 2/13/18
(Staff signature)

The testimony of the witness may be presented at a hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer or administrative panel. Copies of these sworn declarations, edited to delete the name and identity of witness, shall be made available to the pupil.

Exhibit J

[REDACTED]

From: [REDACTED]
Sent: Thursday, March 1, 2018 10:02 AM
To: [REDACTED]
Subject: Fwd: Re: Fwd: Salcido Investigation

Here are [REDACTED] replies, [REDACTED]. Thank you.

----- Forwarded message -----

From: "[REDACTED]"
Date: Feb 28, 2018 10:11 PM
Subject: Re: Fwd: Salcido Investigation
To: "[REDACTED]"
Cc:

1. Yes I have witnessed students having to do a squat when they were late to class and when you did it he had to be watching I do not know the students name

2. Yes Mr. Salcido has used cursed words towards another student saying "shut up you're so full of shit that's why your eyes are brown" this was around January and it was usually once a week thing

3. He would only raise his voice sometimes when Mr. Salcido would go on a rant

4. Mr. Salcido was very racist towards races like the Vietnamese, Middle East, Whites, and he was racist towards the student exchange when they came by making fun of their language or hair

5. Mr. Salcido would say how things should be and if any one who try to say other wise would try to embarrass you in front of the class

A. This semester I have not heard him say that but there is a recording of him talking about it

B. Mr. Salcido would tell the class we shouldn't give up our phone because it is our property and we are stupid for giving it up

C. He would talk about that we have the right to take our own life and if we fail we should be imprisoned for attempted murder

D. Mr. Salcido went on a rant January 19 of the military after he noticed that I wore a Marine Corp sweater in the audio recording that I took you can hear him say that they are "The lowest of The low" "They are not intellectual people" Salcido had me stand in front of the students and explain myself he also said that the low achieving students join and on the news you can hear Mr. Salcido call me a low achieving student

E. Mr. Salcido would talk bad about Christianity the most and talk about God saying he is just a hippie on the cross and once Salcido said he would kill everyone in his class for his religion that are his wife and kid and he said this two times in January

6. Mr. Salcido did allow us to have our phones out. That was the only reason why I was able to record him

7. Yes he did allow us to eat in class

On Feb 28, 2018 2:36 PM, "[REDACTED]" wrote:

Please email me your responses to the investigator's questions (below).

----- Forwarded message -----

From: "Steve Hummel"

Date: Feb 28, 2018 1:57 PM

Subject: Salcido Investigation

To: [REDACTED]

Cc:

[REDACTED]

Please ask your client to provide his answers to the following questions. Obviously the more details in the answers the better. I have interviewed a multitude of others on these same topics. Not every student experiences or remembers all of the same events or details, but many do so obviously I'm asking for his best recollection and "I don't know" is a perfectly acceptable answer.

- 1) Did he ever witness Mr. Salcido require students to do a squat, pushup, jumping jack or other exercise for being late to class or any other reason?
 - a. Include dates (or time periods) – how often if ever
 - b. Names of students
 - c. Descriptions of each time

- 2) Did he ever witness Mr. Salcido use swear or curse words in class and specifically at any student?
 - a. Include dates (or time periods) – how often if ever
 - b. Names of students
 - c. Descriptions of each time

- 3) Did he ever witness Mr. Salcido raise his voice at the class or at a specific student so as to "yell" at him or her?

- a. Include dates (or time periods) – how often if ever
- b. Names of students
- c. Descriptions of each time

4) Did he ever witness Mr. Salcido use racial comments or slurs in class in general or directed toward any specific student?

- a. Include dates (or time periods) – how often if ever
- b. Names of students
- c. Descriptions of each time

5) Did he ever witness Mr. Salcido give his opinion to the class on the following topics?

In his opinion was this Mr. Salcido telling the class how things should be or was he offering a philosophical point of view for discussion?

Did he feel Mr. Salcido wanted the student's opinions on these subjects if they differed from Salcido's?

- a. The legality of downloading "kiddie porn"
- b. The students right to not surrender their property (like a cell phone) to administrators if asked.
- c. The students right to commit suicide if they chose to
- d. The students right to join the military
- e. The students right to their religious beliefs
- f. For all the above:

- i. Include dates (or time periods) – how often if ever
- ii. Names of students
- iii. Descriptions of each time

6) Did Mr. Salcido allow students to use their cell phones in class?

7) Did Mr. Salcido allow students to eat in class?

Thank you,

Steve Hummel

Exhibit K

1 refusing to answer the question?

2 MR. PEREZ: It is on the transcript. Ask
3 another question.

4 THE WITNESS: It's on the transcript.

5 MR. PEREZ: Move on. You're wasting time.

6 (Exhibit 7 was marked for identification by
7 the court reporter and is attached hereto.)

8 BY MR. HUMMEL:

9 Q This is No. 7. It's a letter of reprimand
10 dated October 20th, 2014. It's within the last four
11 years. Do you recall this letter of reprimand?

12 A Not specifically, no.

13 Q Can you look at page 2 and tell me if that's
14 your signature acknowledging receipt of it?

15 A Appears to be.

16 Q It says, "On October 14, 2014, one of
17 your student -- one of your second
18 period students, [REDACTED],
19 arrived to your class without completing
20 the essay that was due. You approached
21 the student and asked her for her essay.
22 She replied, 'I did not do it.' You
23 responded, 'Then what are you doing
24 here? Get out.' The student replied,
25 'Really?' You replied, 'Yes. I told

1 you to do the essay, and you did not.
2 So get out. Do you want me to write a
3 referral and send it to the office? I
4 don't even know how to fill them out.'
5 ██████████ got up to leave your
6 classroom. She was wearing her scrubs
7 as she was a student in our first
8 responder class. As she was leaving,
9 you said, 'Hey, Nurse Jackie, come back
10 here.' The student did not reply and
11 she left the classroom."

12 Do you recall that incident?

13 A Not specifically.

14 Q Have you ever asked a child to leave your
15 classroom for not completing assignments on time?

16 A Yes.

17 Q When was the last time you did that?

18 A I do not recall.

19 Q When you asked them to leave the classroom, do
20 you always give them a referral to the office?

21 A No.

22 Q Do you ever give them a referral to the office?

23 A No.

24 Q Do you know how to fill out referrals?

25 A Not certain.

1 Q Have you ever been directed by administration
2 to not send students out of your classroom without a
3 referral?

4 A I don't recall.

5 Q Do teachers have a prep period once every day?

6 A There's one day a week you do not have a prep
7 period.

8 Q So four days a week you have a prep period?

9 A Yes.

10 Q How long is that prep period?

11 A It varies -- depends what day of the week it
12 is. Because classes are different, different lengths, I
13 should say.

14 Q Is there an approximate or an average length of
15 time?

16 A It's between an hour and hour and a half,
17 50-some minutes and 80-some minutes.

18 Q What do you do during your prep periods, say,
19 in the last six months?

20 A It's pretty much just working on whatever is
21 going on in class, thinking of lessons, you know, points
22 to make, you know.

23 Q Where do you work on them?

24 A Typically in my classroom.

25 Q Do you ever leave campus during those prep

1 periods?

2 A Yes.

3 Q How often?

4 A It's hard to say. I don't know what the right
5 word is, but regularly. Typically I go home to use the
6 restroom. I live right down the street from the school.

7 Q The school has cameras around the campus;
8 right?

9 A Yes.

10 Q Do you ever go to city hall?

11 A Rarely. If I have something to do at city
12 hall, I'll make sure to tell somebody on campus that I
13 need to go over to sign a document, if I have to have a
14 meeting, whatever. That's something I will let the
15 principal know about.

16 Q Which principal have you let know?

17 A [REDACTED] at this point.

18 Q And prior to that?

19 A [REDACTED], I assume.

20 Q Did you ever tell [REDACTED] that you were
21 leaving campus to go to city hall?

22 A I believe so.

23 Q And have you ever told [REDACTED] that you're
24 leaving campus to go to city hall?

25 A Yes.

1 Q Your contract requires you to be on campus for
2 the entire period of the school day. I believe it's 30
3 minutes prior and 30 minutes after all of your classes.
4 Is that your understanding?

5 A I'm not certain.

6 Q So your answer was often during your prep
7 periods you're not on campus?

8 A For a short amount of time, yes.

9 Q Is that ever deducted from your pay?

10 A No, sir.

11 Q But it's a regular occurrence?

12 A I think that's accurate. That's fair.

13 Q Have you ever been over at city hall when a
14 member of the Board of Education, specifically the
15 president, saw you there recently and asked what you
16 were doing off campus?

17 A No.

18 Q Has it ever happened?

19 A No.

20 Q We've talked about the escalating discipline
21 policy, and I showed you a -- kind of a graphic tree
22 attached to one of your letters of reprimand.

23 MR. PEREZ: You mean the progressive discipline
24 policy?

25 MR. HUMMEL: That's correct.

1 BY MR. HUMMEL:

2 Q And you indicated you weren't completely
3 familiar with that. And so I'd like to ask you some
4 questions about what your personal discipline policy is.

5 If a student were talking in your class out of
6 turn, what is your personal disciplinary policy?

7 A That's -- really that's one of my only rules.
8 I ask my students when I'm talking or anyone else is
9 talking, and have the floor, you need to be quiet.

10 Q If they break that rule, what happens?

11 A Make sure they are quiet.

12 Q And if they break that rule, what do you do?

13 A Tell them to be quiet.

14 Q What if a student is tardy to your class?

15 A If the student is tardy, I ask them to do
16 something to recognize that they were going against the
17 basic policy of being on time to class. But it's up to
18 them. You can do a squat. You can do a pushup. You
19 can do whatever you want. There has to be some
20 recognition of the tardy.

21 Q And if they refuse to do anything, what do you
22 do?

23 A Nothing. Go on with things.

24 Q You let them come in to the class, take their
25 seat, move on?

1 A Yeah.

2 Q What if they're disrespectful?

3 A In what way?

4 Q What if a student was in your opinion
5 disrespectful to you or another student, what is your
6 disciplinary policy?

7 A Could you provide a scenario? I don't
8 understand.

9 Q I can't tell you what you would consider to be
10 disrespectful. So I'm not sure I can.

11 MR. PEREZ: It's your question. So it's fair
12 for him to ask you to explain what you mean.

13 MR. HUMMEL: I understand. And it's fair for
14 me to answer, no, I don't think I can.

15 MR. PEREZ: No, I don't think so. It's your
16 question.

17 BY MR. HUMMEL:

18 Q What about bullying? If a student were to
19 bully you or another student, what would your discipline
20 or your policy be?

21 A I don't think it would be discipline. It would
22 be something to stop that, if something was happening
23 that was affecting someone negatively.

24 Q If a student were to become discriminatory
25 toward you and/or another student, what would your

1 discipline or policy be?

2 MR. PEREZ: What do you mean by that?

3 MR. HUMMEL: If he violated any of the
4 protected classes and singled them out in a
5 discriminatory way.

6 MR. PEREZ: Like how?

7 MR. HUMMEL: Like, say, I don't like your Asian
8 ancestry, your eyes are slanted, what would you do if a
9 student said that to somebody else?

10 MR. PEREZ: You mean like if somebody made a
11 racial comment?

12 MR. HUMMEL: That's correct.

13 THE WITNESS: I would stop them, if I
14 recognized it.

15 BY MR. HUMMEL:

16 Q What about vandalism? If a student were to
17 commit vandalism in your classroom?

18 A Same thing, stop it.

19 Q Okay. What about violence? If a student
20 became violent toward you or another student?

21 A Try to stop it.

22 Q In all of these examples that I've given, would
23 you ever send them to the office with a referral?

24 MR. PEREZ: I think it depends on the
25 situation.

1 MR. HUMMEL: I'm asking him.

2 MR. PEREZ: I know, but I'm telling you.

3 THE WITNESS: It depends on how intense the
4 situation was.

5 BY MR. HUMMEL:

6 Q During any of your personal disciplinary
7 periods, do you ever raise your voice at the student?

8 A Not that I can specifically recall.

9 Q Do you ever use cursing or swear words directed
10 at the student?

11 A I wouldn't use an F word.

12 Q Would you use any other curse word in your
13 classroom directed specifically at a student?

14 A No, not a curse word.

15 MR. PEREZ: Just so that we're clear, what do
16 you mean by "a curse word"?

17 THE WITNESS: Profanity.

18 BY MR. HUMMEL:

19 Q Profanity.

20 MR. PEREZ: Okay. Do you have any specific
21 profanity in mind?

22 MR. HUMMEL: I'm going to ask some very
23 specific questions.

24 MR. PEREZ: Okay. That's what we're waiting
25 for.

1 BY MR. HUMMEL:

2 Q Have you ever personally been racist against
3 any of the students in your class?

4 A No.

5 Q Have you personally ever made fun of a
6 student's religion?

7 A No.

8 Q Have you ever personally made fun of a
9 student's propensity to join the military?

10 A No.

11 Q Have you ever singled out a student in your
12 classroom that was generally known to be a Christian and
13 told them that they hate gay people and then single out
14 a gay person or a person presumed to be gay in your
15 classroom and told that person she hates you because her
16 religion tells her she has to?

17 A No.

18 Q Did you ever single out a student in your
19 classroom and tell her that your god allowed people to
20 burn and die during 9-11?

21 A No.

22 Q Did you ever tell the students in your
23 classroom, "Do not go into the military, they are the
24 lowest of the low"?

25 A Not the way you stated it, so no.

1 Q In any way similar to that?

2 A Can we discuss this, Carlos?

3 (Recess.)

4 MR. PEREZ: Could you repeat your question,
5 please.

6 MR. HUMMEL: Yes.

7 Q Have you ever told any of the students in your
8 classroom, and I'm paraphrasing, essentially, don't go
9 into the military, they are the lowest of the low?

10 A The point that I was making with that, if those
11 words out of context are put together is that those who
12 would chose a military enlistment out of high school as
13 opposed to a college education are typically the lower
14 performing students. It wasn't any judgment on moral
15 character.

16 BY MR. HUMMEL:

17 Q Do you allow students to take out their cell
18 phones during your class time?

19 A Yes.

20 Q Do you allow students to eat during class time?

21 A Yes. All -- as long as it's not a distraction.

22 Q I understand.

23 Do you recall a young man that brought a bowl
24 of African rice to your classroom one day?

25 MR. PEREZ: African what?

1 MR. HUMMEL: Rice.

2 MR. PEREZ: African rice, is that what you
3 said?

4 MR. HUMMEL: Uh-huh.

5 THE WITNESS: No.

6 MR. PEREZ: What's that?

7 MR. HUMMEL: According to a student --

8 MR. PEREZ: Is that a special kind of rice?

9 BY MR. HUMMEL:

10 Q According to a student statement, he came from
11 a cooking class and had a bowl of rice in his hand and
12 you questioned him when he walked in and asked him what
13 that was supposedly, and he told you what it was and you
14 said okay, and he took his seat and you went on with
15 your lecture.

16 A I don't specifically remember that.

17 Q Do you remember that one of his classmates made
18 some kind of a joke about Trump and made the boy laugh
19 and spit rice out on to his desk?

20 MR. PEREZ: Is this recently?

21 MR. HUMMEL: Uh-huh.

22 THE WITNESS: No.

23 MR. PEREZ: This school year?

24 MR. HUMMEL: In the last year --

25 MR. PEREZ: Trying to give him a frame of

1 reference?

2 MR. HUMMEL: Yeah.

3 THE WITNESS: I don't.

4 MR. PEREZ: Do you know the name of the
5 student?

6 MR. HUMMEL: I do.

7 MR. PEREZ: Well, want to tell us? It may help
8 him.

9 BY MR. HUMMEL:

10 Q Okay. Do you recall singling out any student
11 and saying, "You're a fucking pig and you can't eat your
12 rice properly. You can't chew properly. And don't
13 bring that kind of rice into my classroom. If you bring
14 rice in my classroom, you bring your grandmother's
15 rice"? Do you recall that?

16 A Not the first part.

17 Q Do you recall the second part?

18 A I do recall a conversation about rice, and we
19 started talking about the type of rice we are used to
20 eating.

21 Q What type of rice is that?

22 A As I said, probably the rice your grandma
23 makes.

24 Q What type of rice is that?

25 A White rice with tomato sauce in it, maybe some

1 chili.

2 Q Okay. How is that different than the rice he
3 brought to class?

4 A I don't remember the other rice, though. I
5 don't remember what it looked like or anything like
6 that. So I don't know.

7 Q Why would you tell him it's the wrong kind of
8 rice, then?

9 A I don't remember what it looked like. I don't
10 remember that. And it was just a simple comment related
11 to the type of rice that we are accustomed to eating.

12 Q Who is "we"?

13 A The people -- the kids in my classroom and
14 myself. Maybe you.

15 Q White rice, would that be Asian rice?

16 A It would be white rice.

17 Q I typically hear white rice --

18 A I had white rice yesterday.

19 Q -- being referred to as Japanese rice or
20 typically fried rice is -- other cultures and every
21 culture has different ways of frying rice in my
22 experience in the various culinary restaurants that I've
23 eaten at.

24 So is there some kind of a racial significance
25 to the kind of rice that you're referring to that you're

1 used to eating?

2 A No.

3 Q Do you ever recall, say in the last year,
4 addressing the entire class after one student spoke up
5 out of turn and interrupted your lecture? Do you recall
6 telling the entire class that your job today is to shut
7 the fuck up?

8 A No, sir.

9 Q Would you say something like that to the class?

10 A I hope not.

11 Q Do you think it would be wrong?

12 A I wouldn't want to use language like that.

13 Q Okay. Last December a student committed
14 suicide. Are you familiar with that?

15 A Yes. I don't know the student, but I know what
16 you're referencing.

17 Q In January --

18 MR. PEREZ: This is a student at El Rancho?

19 MR. HUMMEL: Yes.

20 MR. PEREZ: I'm very sorry to hear that.

21 BY MR. HUMMEL:

22 Q Yes. In January do you recall telling the
23 students in any of your classes that you don't
24 understand what the big deal is, it's his body. If he
25 wants to kill himself, that's his right?

1 A As -- during the time as a philosophical
2 discussion, we dealt with that issue of suicide.

3 And, you know, I shared with them that that's
4 someone's own free will, as sad as it is, for someone to
5 be in that situation where they would do that, but -- we
6 started talking about euthanasia, and that sort of
7 thing. But I -- that definitely did come up with the
8 discussion.

9 Q Do you recall telling the students that it's
10 their body, it's their right, if they want to commit
11 suicide?

12 A Not specifically like that, but certainly we
13 talked about all issues related to that.

14 Q Would it surprise you if I told you that I
15 interviewed several students who walked away from your
16 classroom with the understanding from what you said, if
17 they want to commit suicide they should just do it?

18 A No. The point that I was making or that we
19 were making, we talked about it as a class, is that for
20 someone to be in that situation, it's certainly sad
21 and -- I'll give you the example now that we're talking
22 about the conversation. What I remember saying was that
23 I was saying someone like myself, as a husband and a
24 father, very frankly, I don't have solo rights. There's
25 other people I would have to think of if I wanted to

1 take the drastic step, which is -- it's a serious issue.

2 But when you separate it from that, you know,
3 euthanasia situation, if someone was so inclined to, you
4 know, make that decision, I mean as a philosophical
5 discussion, I mean, that's something, if you look at it,
6 you know, unemotionally, that, you know, they probably
7 do have that right to do that.

8 And what I told them, what I made sure to
9 follow up with, and I was, like, don't say, if we're
10 talking about this, that I'm a proponent that, I'm
11 telling you to do this, that I'm instructing you.
12 Because I tell my kids, I go, "Get straight A's." You
13 don't listen to me on that. And that's the greatest
14 advice probably a teacher could give someone. But then
15 if I give you -- share an idea, philosophy on this,
16 like, why would you listen to that over good news.

17 So don't try to say that because we're talking
18 about this that it's some sort of directive, you know.
19 "We all understand that?" And they are nodding heads,
20 and they are understanding.

21 Q Okay. So it's 12:00 right now. And we
22 discussed whether or not we wanted to take a lunch
23 break, but I neglected to discuss that with this young
24 lady.

25 MR. PEREZ: Certainly.

Exhibit L

EL RANCHO UNIFIED SCHOOL DISTRICT
Child Welfare and Attendance

New El Rancho Unified School District Employee,

I hereby acknowledge that I have received copies of the following:

1. El Rancho Unified School District Suspected Child Abuse Procedures.
2. Required Annual Notice/Non-Discrimination/Civil Rights
3. ERUSD Rules on Behavior and Discipline/Consequences for Violating District Rules
4. School Discipline Rules/Consequences for Violating School Rules (Schools may have additional rules available at the school)
5. Post Tragedy/Suicide Procedures/Suicide Prevention
6. El Rancho Standards of Dress and Grooming
7. El Rancho Unified School District Drug Free School Resolution

I also realize my obligation to read these documents and adhere to the procedures therein.

Signed

Date

9-15-96

WRG/gd

Exhibit M

El Rancho Unified School District Acceptable Use Policy for Employee Use of Technology Resources

(Based on Rules and Regulations #4040)

It is the policy of the El Rancho Unified School District (ERUSD or District) to afford broad access to District computers, communications systems (email, web sites, smart phones, blogging, podcasting and/or other emerging technologies), the Internet and an array of technology resources for District employees for use in fulfilling the District's missions, and for the appropriate District-related activities. The purpose of this Acceptable Use Policy is to outline the acceptable and unacceptable use by employees of District technology resources and personal technology resources that access or use District resources. The principles outlined herein are in place to protect both the employee and the District. This policy applies to all non-student users of the District's technology resources including contractors and affiliated third parties. (Student users of the District's technology resources are governed by a separate Acceptable Use Policy.) It is the sole responsibility of each employee to be informed about his/her responsibilities and the District's expectations for the use of technology resources.

While using District technology resources each employee must act in an appropriate manner consistent with District, ethical and legal principles. This includes any remote access which employees may gain off-site, but which involves the use of District sites, servers, intranet facilities, email accounts, software or equipment. It also includes the use of personal technology resources when such personal resources are utilizing District servers, intranet facilities, email accounts, software or storing or accessing ERUSD data.

Access to technology resources carries with it the responsibility for ensuring that the use of these resources is primarily for ERUSD purposes and District-related activities, and for maintaining the integrity and security of the District's technology equipment and facilities. The District's communication systems have not been established as a public access service or a public forum. The District has the right to place reasonable restrictions on the material employees access or post through the technology resources. In the interest of making the use of technology resources a natural part of the day-to-day work of all members of the District community, incidental personal use is acceptable. However, the use of District technology resources is prohibited for personal purposes during assigned work time. Use of District technology resources for personal purposes should be incidental, done on the employee's own time, and at the employee's own risk. The District's technology resources shall never be used to solicit commercial sales for personal benefit, religious activities or for political lobbying.

Effective security of technology resources is a team effort that involves the participation and support of every employee. Employees must respect the integrity and security of ERUSD's information technology system, and the access privileges, privacy and reasonable preferences of other users. Employees having access to technology resources must take reasonable care to ensure that unauthorized persons are not able to use their access to the system. The use of ERUSD technology resources may involve the use of a password, network access code or other identifying or validating code. Such passwords and codes are to be protected as private information provided to the individual user for their sole purpose. Such passwords and codes shall not be disclosed by the employee to others. Employees shall immediately notify the Information Technology Department if you have identified a possible security problem. Employees further agree to avoid the inadvertent spread of computer viruses by following the

District's virus protection procedures.

The District's technology resources are, by nature, finite. Employees must recognize that certain uses of the District's technology resources may be limited for reasons related to the capacity or security of the District's information technology system, or as required for fulfilling the District's primary instruction and public service missions.

No information technology resources can absolutely guarantee the privacy or confidentiality of electronic data, information and the transmission of such. However, all employees shall take reasonable precautions to protect electronic data, information and the transmission of such containing private and confidential information. The privacy and protection of personally identifiable student and employee data is of paramount importance. Likewise, the safeguarding of physical technology resources assigned to employees is the responsibility of the employee. It is the employee's responsibility to report the loss of private and confidential information, and the loss of technology equipment to Business Services and Purchasing immediately upon the discovery of the loss.

In addition to the general principles set forth in this Acceptable Use Policy, the use of technology resources may be affected by a number of other legal and ethical principles. While it is not possible to list all potentially applicable laws, regulations and local standards, the following are provided:

1. The use of District technology resources may involve the use of a password, network access code or other identifying or validating code. Such passwords and codes are to be protected as private information provided to the individual user for their sole purpose. Such passwords and codes shall not be disclosed by the employee to others.
2. District technology resources shall not be used for any activity, or to transmit any material, that violates United States, California or local laws. This includes, but is not limited to, fraudulent acts, violations of copyright or other intellectual property laws, and any threat or act of intimidation or harassment against another person. ERUSD technology resources users may not intentionally create, store, display, print or transmit information which violates the District's Sexual Harassment Policy.
3. District technology resources shall not be used to download, copy, or store any copyrighted software, publications, music, video, or other content without permission from the copyright holder. Any software that is installed on District technology resources shall be properly licensed from the copyright owner thereof, and any modifications must comply with the terms of the applicable license(s). ERUSD retains the right to remove software that is not compliant with copyright laws or applicable license(s), or that cause the workstation to become unstable or consume excessive technology resources.
4. The use of District technology resources is not private; employees should not expect that files stored on or transmitted via ERUSD's resources will be confidential. All digital transmissions are subject to inspection and/or monitoring by District employees and other officials. Digital storage is ERUSD property, and as such, network administrators will review files and communications to maintain system integrity and ensure that employees are using technology responsibly. Data, information and transmissions using District technology resources constitute public records and may be subject to public records

retention and release laws.

5. Employees are expected to model tolerance and good manners. District technology resource users agree not to send, access, submit, publish, display or print hate mail, defamatory statements, vulgar, derogatory, obscene, profane, sexually oriented, threatening, offensive or illegal material or language over the Internet or using ERUSD technology resources. District technology resources users shall not access Web sites, newsgroups, or chat areas that contain material that is prohibited under child pornography laws or that promotes illegal acts. The use of District technology resources in a manner intended to injure or humiliate others by disclosure of personal information (whether true or false), personal attacks on others, and statements expressing animus towards any person or group by reason of race, color, religion, national origin, gender, sexual orientation or disability is not acceptable. Cyber bullying is specifically prohibited. It shall be the employee's responsibility to report the inappropriate use, web site, or communication to the employee's supervisor.
6. District technology resources users shall not post anonymous messages or attempt to impersonate another person by forging email, web pages or other electronic media.
7. District technology resources users may not log on to another employee's account, IP address, or other resource access, attempt to access another user's files, or permit anyone else to log on to their own accounts. Users may not try to gain unauthorized access ("hacking") to the files or technology systems of any other person or organization.
8. The primary use of the District's technology resources is for District-related work. While some incidental personal use of the ERUSD technology resources is permitted, such incidental use will not be deemed a waiver of District's right to prohibit all such use, either on an individually-applicable or on a generally-applicable basis.
9. District technology resources users shall not use ERUSD technology resources to conduct for-profit business activities or to engage in religious or political activities. Employees shall not use District technology resources for advertising, promotion, commercial purposes, or similar objectives.
10. District technology resources users shall not send unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material ("spamming"). ERUSD technology resources users shall not create or forward "chain letters", "Ponzi" or other "pyramid" schemes of any type.
11. Virtual and physical vandalism shall not be tolerated. Any intentional act by an employee that damages or interferes with performance of District technology hardware, software, operating systems, or communication systems will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action. ERUSD technology resources users shall not introduce malicious programs into the District's technology resources (e.g. viruses, worms, Trojan horses, email bombs, etc.). District technology resources users shall not intentionally disrupt network traffic or crash the network and connected systems; users shall not degrade or disrupt equipment or system performance.

12. Employees may bring personal technology, including computers, smart phones, network access devices, or other electronic signaling devices to their work place. However, the District is not responsible for the safeguarding of such personal technology.
13. Employees shall not take data, equipment, software or supplies (paper, toner cartridges, disks, etc.) for their own personal use. Such taking will be treated as theft. Employees may take computer equipment home or to off-site destinations for District-related purposes with the prior permission of their supervisor.
14. A computer designated as a teacher's or administrator's computer should not be used by students in order to comply with the Child Internet Protection Act. (CIPA)

ERUSD will cooperate fully with local, state and federal officials in any investigation related to any suspected illegal activities conducted through District technology resources.

Employees who violate this Acceptable Use Policy may have their access privileges suspended or revoked. In addition, further disciplinary action may be taken as permitted by applicable law and/or the terms of any applicable collective bargaining agreement.

Notwithstanding the language or descriptions used in this Acceptable Use Policy, Board Policy #4040 and associated administrative rules and regulations govern the use of ERUSD technology resources. All employees, contractors and associated third parties shall sign a "User Responsibility Contract" acknowledging receipt of this Acceptable Use Policy and their responsibility to abide by the provisions of Board Policy # 4040, and associated rules and regulations, and this Acceptable Use Policy.

Rules and Regulations #4040 (Ref. Policy #4040)

EL RANCHO UNIFIED SCHOOL DISTRICT

Acceptable Use of Technology User Responsibility Contract

I have received the Acceptable Use Policy for Employee Use of Technology Resources. I have read, understand, and will abide by the El Rancho Unified School District's policies and administrative regulations for the use of technology resources. I further understand that any violation of these policies and/or administrative regulations for the use of technology resources is unethical and may constitute a criminal offense. Should I commit any violation, my access to privileges may be revoked and disciplinary action and/or other appropriate legal action may be taken.

Employee Name (please print)

Employee Signature

Date

Employee Application for an ERUSD E-mail Account

Applicant Name (please print): _____

Worksite: _____

Work Phone: _____

Home Phone: _____

Exhibit N

Updates to Conform District Policy with New Laws Concerning Bullying

AB 9 (effective July 1, 2012):

- Requires school districts to adopt a policy that prohibits discrimination, harassment, intimidation, **and bullying**
- Board Policy adopted March 15, 2012 (BP 5131.2)

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1

AB 9 (effective July 1, 2012): (continued)

- A requirement that, if school personnel witness an act of discrimination, harassment, intimidation or **bullying**, he or she shall take immediate steps to intervene when safe to do so
- Also requires school districts to adopt a process for receiving and investigating complaints of discrimination, harassment, intimidation and **bullying**

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AB 746 subsumed by AB 1156 July 1, 2012

- This bill amends the definition of **“cyberbullying”**
- Amends Ed Code 32261 to define an “electronic act” as “transmission of a communication, including but not necessarily limited to, a message, text, sound, or image, **or a post on a social network Internet Web site**, by means of an electronic device, including but not necessarily limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

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AB 1156 Effective July 1, 2012

- Further provides that a pupil of the district of residence shall, at the request of the person having legal custody of the pupil, be given priority for **Interdistrict** attendance

- a) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- d) 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.

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**El Rancho High School
Staff Training**

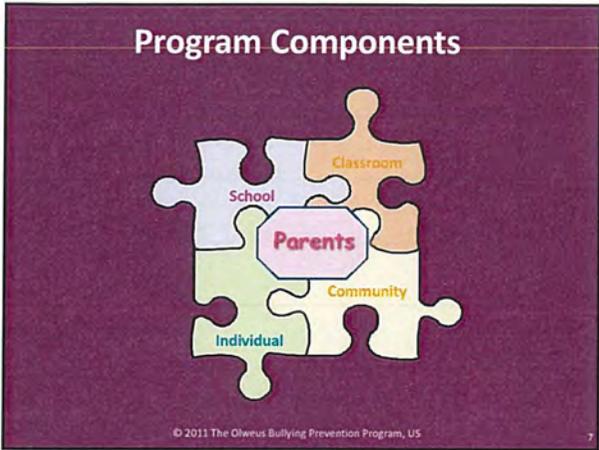
**Lorraine Jimenez
Certified Olweus Trainer
801-5128 ljimenez@erUSD.org**

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**Program Developer, Dan Olweus
US Developer, Sue Limber**



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- ### The Olweus Bullying Prevention Program IS...
- Designed for ALL students
 - Preventive AND responsive
 - Focused on changing norms and restructuring the school setting
 - Research-based
 - NOT time-limited: Requires systematic efforts over time
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- ### The OBPP IS NOT a...
- Curriculum
 - Conflict resolution or peer mediation approach
 - Anger management program
 - Suicide prevention program
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Required OBPP Materials

- **OBPP Schoolwide Guide**
 - CD of written materials
 - DVD: Overview of OBPP
- **OBPP Teacher Guide**
 - CD of written materials
 - DVD: Six scenarios for class discussion
- **Olweus Bullying Questionnaire**



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Schoolwide Guide and Teacher Guide Icons



DVD Symbol



CD-ROM Symbol

SP
Available
In Spanish

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We Know...

- Bullying exists among high school students.
- OBPP has been used in US high schools with minimal adaptations.
- Preliminary success with OBPP has been observed in high school data.

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Olweus Definition of Bullying:

“Bullying is when someone repeatedly and on purpose says or does mean or hurtful things to another person who has a hard time defending himself or herself.”

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Three Key Components of Bullying Behavior

1. Involves an **aggressive behavior**
2. Typically involves a pattern of behavior repeated over time
3. **Imbalance of power or strength**

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“Bullying is peer abuse.”

Dan Olweus

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Distinguishing Among...

- Bullying
- Rough-and-tumble play; friendly teasing
- Real fighting



TG CD #3



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What do you know about Bullying in high school ?

Relevant Data from Olweus & Limber (2010)



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17

1. True or False?

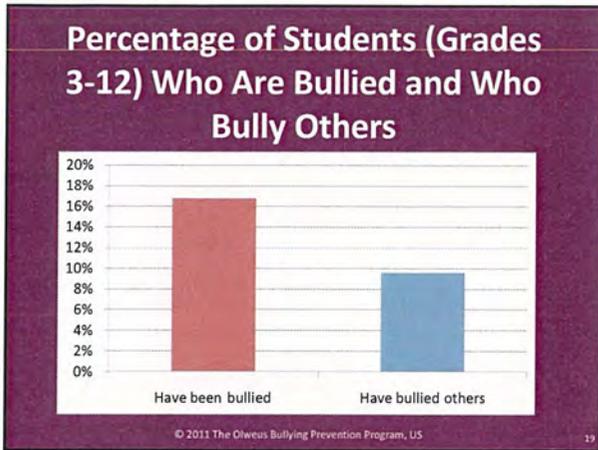
- Studies suggest that fewer than 5% of the students are involved in bullying problems in high school.

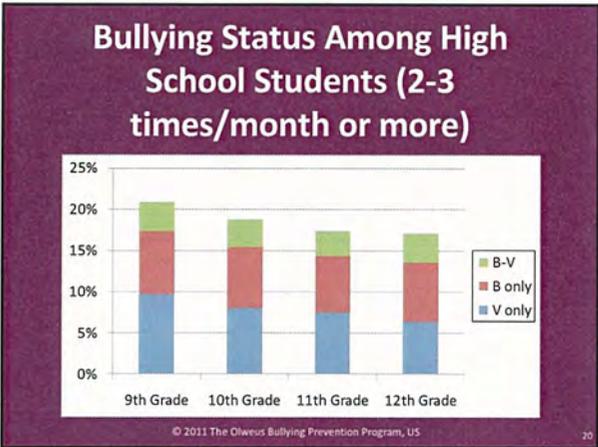
False



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2. True or False?

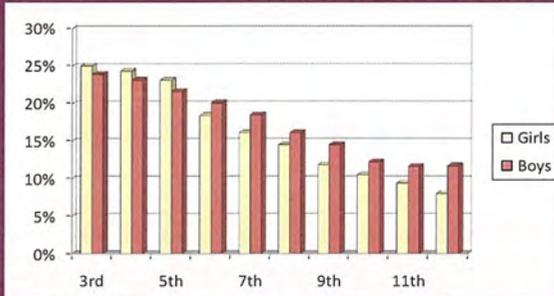
- Students are more likely to be bullied in high school than in elementary or middle school.

False

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Percentage of Bullied Students

(Olweus & Limber, 2010)

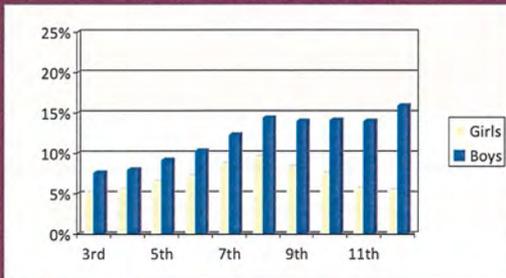


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Percentage of Students Bullying Others

(Olweus & Limber, 2010)



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23

3. True or False?

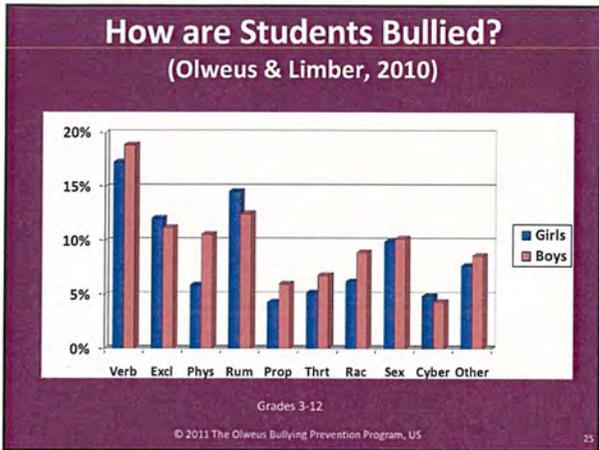
- Most bullying is physical in nature.

False



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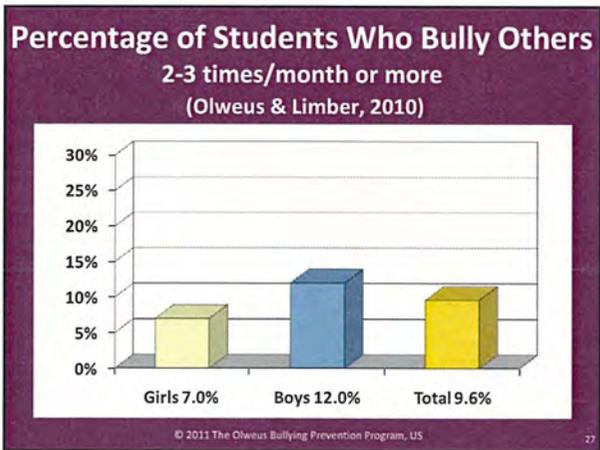


4. True or False?

- Girls are more likely than boys to bully others.

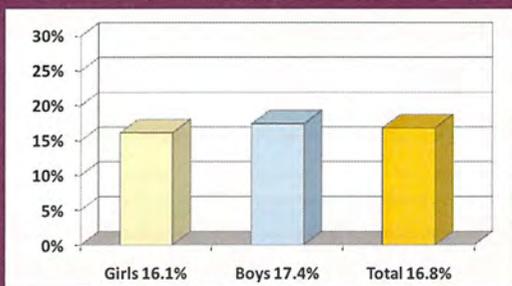
False

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Percentage of Students Bullied

2-3 times/month or more
(Olweus & Limber, 2010)



Grades 3-12

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5. True or False?

- Boys are more likely than girls to be involved in cyber-bullying.

False

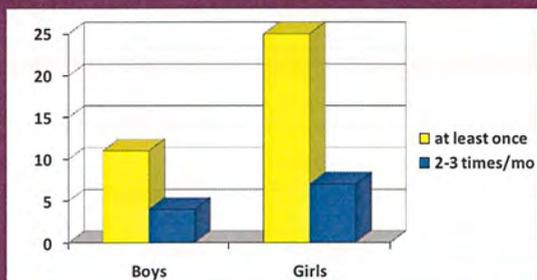


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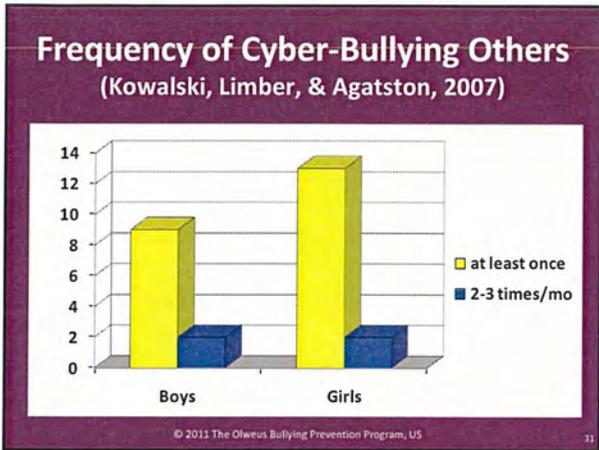
Frequency of Being Cyber-Bullied

(Kowalski, Limber, & Agatston, 2007)



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6. True or False?

- **Students who are bullied are likely to tell a teacher or other member of the school staff.**

False



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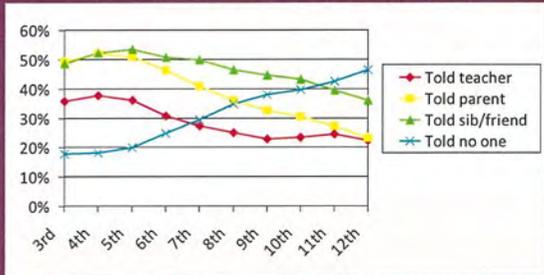
Reporting of Victimization



- Many children do not report bullying to school staff.
- Older students and boys are less likely than younger students and girls to report their victimization.

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Percentage of Students Who Have or Have Not Reported Bullying (Olweus & Limber, 2010)



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7. True or False?

- Bullying is just as likely on the way to and from school as during school hours.

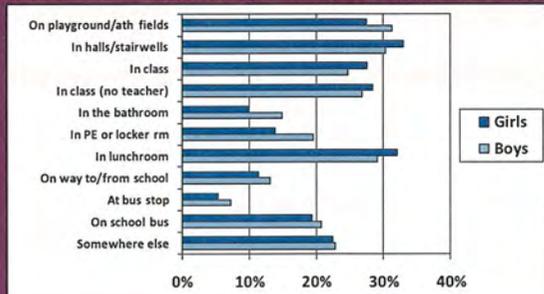
False



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Where the Bullying Has Occurred (if bullied once or more) (Olweus & Limber, 2010)



Grades 3-12
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8. True or False?

- High school students who observe bullying do not feel sorry for those who are being bullied.

False



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Students' Perceptions of Bullied Students

(Olweus & Limber, 2010)

- 88% of high school girls and 66% of high school boys feel sorry when they see a student being bullied.

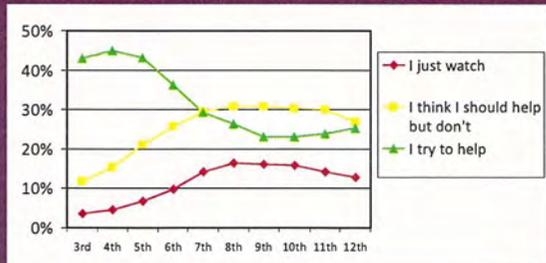


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If you see or learn that a student is being bullied, how do you usually react?

(Olweus & Limber, 2010)



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9. True or False?

- As students get older, they are more likely to perceive that teachers and peers will act to stop bullying at school.

False



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Perceptions of Adult & Student Responsiveness to Bullying

(Olweus & Limber, 2010)

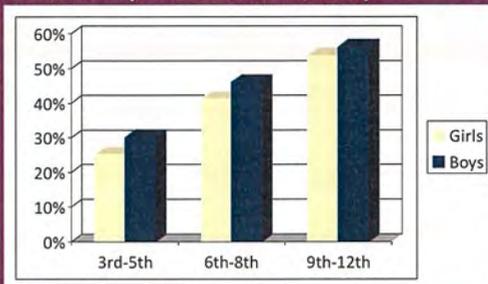
- Teachers or other adults try to stop bullying
 - **32%** of HS girls and **35%** of HS boys say “often” or “almost always”
- Other students try to stop bullying
 - **10%** of HS girls and **11%** of HS boys say “often” or “almost always”

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Say Teachers Have Done “Little or Nothing” or “Fairly Little” about Bullying

(Olweus & Limber, 2010)



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Why address bullying in high schools?



1. For students & their futures
2. For a healthy school climate
3. For the larger community
4. For state law requirements/risk management for schools.
5. It's a wise investment

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OBPP is for ALL Students

- Those who are bullied
- Those who bully others
- Those who are "bystanders" – witnessing purposeful aggression
- The "workplace" or school environment is impacted by unaddressed bullying behavior, making it toxic for students and adults alike.

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Effects of Being Bullied



- Lower self-esteem
- Depression & anxiety
- Absenteeism & lowered school achievement (school drop out)
- Illness
- Thoughts of suicide

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Bullying and Suicide

- Children who are bullied are more likely to have:
 - Depressive symptoms
 - High levels of suicidal thoughts
 - Attempted suicide
- Klomek et al. (2008) study of hs students:
 - All types of victimization were related to depression and suicidality.
 - The more types of bullying experienced, the higher the risk.
- Hinduja & Patchin (2010) study of ms students:
 - Youth involved in bullying or cyber bullying as an offender OR victim had more suicidal thoughts and more attempts.
 - Children who had been bullied had higher rates than those who bullied others.
 - Experience with bullying explains only a small amount of the variation in suicidality

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Characteristics of Bullied Students

Research suggests two categories of bullied students:

- "submissive" or "passive victims"
- "provocative victims" or "bully-victims"



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Students at Higher Risk of Being Bullied:

- Those with mental or physical disabilities or health problems
- Lesbian, gay, bisexual, transgender, or those questioning their identities (GLBTQ)

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Concerns About Students Who Bully

- Children who bully are more likely to:
 - Get into frequent fights
 - Be injured in a fight
 - Steal, vandalize property
 - Drink alcohol, smoke
 - Be truant, drop out of school
 - Report poorer academic achievement
 - Perceive a negative climate at school
 - Carry a weapon

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Students Who Bully

- Bullying may be part of a conduct-disordered behavior pattern
- This pattern may continue into young adulthood
- Olweus study: Those who bullied others in middle school were 4 times as likely to have 3 or more convictions by age 24

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Bullying Behavior May Violate Civil or Criminal Law

- Physical bullying - assault; stalking
- Gender bullying - sexual harassment or assault, dating abuse, domestic violence
- Intimidating for gain - extortion
- Rumors/Lies - defamation of character
- Bullying based on race, national origin, sex, or disability (civil rights violations)
- Cyber bullying - harassment by communication; stalking
- Sexting - child pornography



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Common Myths About Students who Bully

- “Students who bully are loners.”
- “Students who bully have low self-esteem.”

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Popular Students May Use Bullying Behaviors To Maintain Power

- Who are the most powerful students in your school?
- How can we help students use their power to help others?



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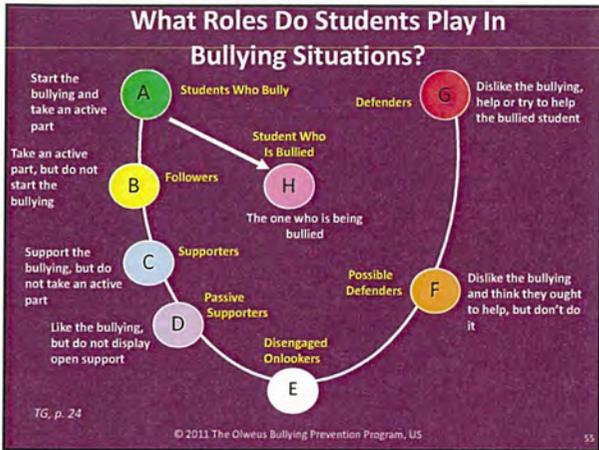
Effects of Bullying on Bystanders

- Bystanders may feel:
 - Afraid
 - Powerless to change the situation
 - Guilty for not acting
 - Diminished empathy for victims over time



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- ### Group Mechanisms in Bullying
- Social contagion
 - Weakening inhibitions against aggression
 - Decreased sense of individual responsibility
 - Gradual changes in the view of bullied student/s
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- ### Adults Who Bully
- Teacher to Student
 - Teacher to Teacher
 - Parent to Teacher
 - Teacher to Parent
 - Administrator to Teachers/Staff
 - Teachers/Staff to Administrators
 - Community Members to Administrators
- 
- © 2011 The Olweus Bullying Prevention Program, US

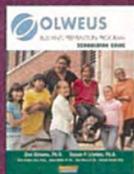
Misdirections in Bullying Prevention and Intervention

- Simple, short-term solutions
- "Program du jour approaches"
- Group treatment for children who bully
- Self-esteem enhancement for children who bully
- Zero tolerance policies for bullying
- Mediation/conflict resolution to resolve bullying issues



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Schoolwide Guide DVD

Part 2: Overview of the OBPP Components

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OBPP Principles imply...

1. Adults must take responsibility!
2. Clear & consistent message
3. Short & long-term focus
4. Follow model with fidelity
5. OBPP should become part of everyday life at school

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OBPP Principles imply...

- 6. Student involvement in changing climate (Classroom and school wide activities)
- 7. Student learning about bullying
- 8. OBPP is NOT peer mediation or conflict resolution
- 9. OBPP is not a classroom management technique

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OBPP Program Components



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School-Level Components



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Overview of School-Level Components

1. Establish a Bullying Prevention Coordinating Committee
2. Conduct committee and staff trainings
3. Administer the Olweus Bullying Questionnaire
4. Hold staff discussion groups
5. Introduce the school rules against bullying
6. Review and refine the school's supervisory
7. Hold a school kick-off event to launch the program
8. Involve parents

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Olweus Bullying Questionnaire



- Locations of hotspots
- Patterns for girls & boys
- Insights into school climate
- Information to assess supervision
- Adult & student attitudes about bullying
- Impact of bullying on students
- Valuable planning tool

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school rules about bullying



SP (TG Doc #8)

- We will not bully others.
- We will try to help students who are bullied.
- We will try to include students who are left out.
- If we know that somebody is being bullied, we will inform an adult at school and an adult at home.

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Use of **Positive** Consequences to Reinforce **Positive** Behavior

- Why are positive consequences critical?
- Who receives them?
- Types of behavior to reinforce
- Types of positive consequences
- Tips on use of positive consequences

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Use of **Negative** Consequences

- Why aren't positive consequences enough?
- Guidelines for use of negative consequences
- Types of negative consequences

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Dear Colleague Letter: Bullying and Harassment

- Are the civil rights of a targeted student also being violated?
 - Title VI, CRA of 1964; prohibits discrimination on basis of race, color, or national origin
 - Title IX, Educational Amendments, 1972; prohibits discrimination on basis of sex
 - Section 504 of RA of 1973; Title II of ADA of 1990; prohibits discrimination on basis of disability.

www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201010.html

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Student Reporting

- “If we know that somebody is being bullied, we will tell an adult at school and an adult at home.”



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Classroom-Level Components



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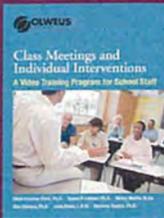
71

Classroom-Level Components

1. Post and enforce school wide rules against bullying
2. Hold regular class meetings
3. Hold meetings with students' parents

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Class Meetings DVD

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Maintaining Positive Classroom Management



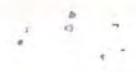
- OBPP is not a classroom management program.
- BUT, helping teachers hone behavior management skills will help to reduce bullying behavior.
- Use of the Positive Classroom Management Checklist

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Support Materials for Class Meetings

- Teacher Guide, plus DVD & CD
- Class Meetings & Individual Interventions DVD (www.olweus.org)
- Cyber Bullying Prevention Curriculum (6-12) (www.olweus.org)
- OBPP Companion Bibliography (www.bullyingpreventioninstitute.org)
- National Anti-Bullying Campaign Materials (www.stopbullying.gov)

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Student Involvement

- Assist in planning kick-off event
- Daily announcements about bullying
- Newspaper articles
- Student service projects, presentations
- Facilitate class meetings for others
- Integration of Projects with existing curriculum – plays, ballets, musical events, athletic events
- Speaker's bureau about bullying



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Individual-Level Components



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Individual-Level Components

1. Supervise students' activities
2. Ensure that all staff intervene on-the-spot when bullying occurs
3. Hold meetings with students involved in bullying
4. Meetings with parents
5. Develop individual intervention plans for involved students

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Why Adults Don't Always Intervene:

- Have difficulty recognizing bullying
- Fail to recognize the importance of intervening
- Uncertain *how* best to intervene
- Lack of time



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Individual Interventions DVD:

Part 1: "On-the-Spot" Interventions

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On-the-Spot Interventions: *The "Teachable Moment"*

1. Stop the bullying
2. Support student who has been bullied
3. Name bullying behavior & refer to school rules
4. Engage the bystanders
5. Impose immediate & appropriate consequences
6. Take steps to ensure bullied student will be protected from future bullying

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Individual Interventions DVD:

Part 2 "What to do if you suspect bullying?"

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When There Are Suspicions of Bullying...

- Intensify your observations of the child
- Confer with colleagues
- Talk to or survey students
- Collect information from students
- Contact parents



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Individual Interventions DVD:

Part 3 "Follow-Up" Interventions

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Individual Interventions DVD:

Part 4 "Follow-Up" with Parents

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Understanding Parents' Perspectives....



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Community-Level Components



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Community-Level Components

1. Involve community members on the BPPC
2. Develop partnerships with community members to support your program
3. Help spread anti-bullying messages and principles of best practice throughout the community

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Remember.....

- Stopping bullying takes a team effort.
- You play a critical position on the team.
- Change happens in small increments but can have positive long-term impact for us all!



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Exhibit O

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



TO: Gregory Salcido, Social Studies Teacher
FROM: [REDACTED], Principal
Date: March 26, 2014
Subject: Letter of Reprimand

You were engaged in the following conduct:

On March 13, 2014 during 6th period you kicked out student [REDACTED] and stated the following, "You want to be stupid and laugh while I am talking, F-you. Get out. You are not welcome here." [REDACTED] walked out of your classroom and was not given a referral to the office. [REDACTED], Assistant Principal, saw [REDACTED] walking around in the quad, crying. [REDACTED] brought the student to the office. [REDACTED] parents called the school at approximately 2:30 pm on March 13. The student was removed from your class on March 17, 2014. A meeting was held the same afternoon, March 17, 2014, with [REDACTED] parents and [REDACTED] and [REDACTED].

On March 17, 2014 [REDACTED] walked in your 6th period class with a note from her 5th period PE teacher, [REDACTED]. When she gave you the note, you directed her to choose to do a squat, jumping jack or a push up. She refused and the other students stated, "She's wearing a skirt." When [REDACTED] refused, you told her to "get out of [your] class." [REDACTED] was not sent to the office with a referral. The student went to another classroom and read for the rest of the period. A conference was held with [REDACTED] and Dean [REDACTED].

On March 20, 2014 during 5th period [REDACTED] was kicked out of your class at approximately 12:00 pm because she was "sleeping in class." She went to [REDACTED] classroom and [REDACTED] sent her to the office.

This conducted violated:

1. The directive by [REDACTED] in an email dated October 2, 2013. She stated, in reference to students that you had kicked out of your class and not allowed them to return ([REDACTED] and [REDACTED]), "These students, if on your rosters, must be allowed in class."
2. Board Policy 5144 and Administrative Regulation 5144 (see attached).
3. Education Code 200-201: "All pupils have the right to participate fully in the educational process, free from discrimination and harassment."
4. Board Policy 5137 (a): "All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear explanations for student behavior."
5. Board Policy 5113 (a) "The Governing Board believes that regular attendance plays a key role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly."

6
WITNESSED BY: Salcido, Vol. 1
DATE: 3/22/18

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



6. California Penal Code 245.6: "It shall be unlawful to engage in hazing...any method of initiation or preinitiation into a student 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 to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state."

Your conduct negatively impacted the instructional program and the safety of students inasmuch as the students were not in their assigned class and if parents, administration, counselors, etc. were to try to locate them, these students would not be accounted for. You forced students to miss instructional time from their assigned class. Furthermore, you humiliated students in front of their peers, causing them to want to be removed from your class.

Effective immediately, you are to adhere to Board Policy unless you have made arrangements with the principal or a designee. Additionally, during instructional hours, you are not to remove students from your class without writing a referral to the office and calling the office to come and pick the student up from your class. You are not to require students to engage in any form of physical activity as a form of discipline in your classroom, including, but not limited to, late arrival to your class (with or without a note from the office or another staff member).

To assist in correcting this conduct, I offer the following suggestions:

- Review Board Policy, California Standards for the Teaching Profession and California Education Code.
- Review the student handbook section on School Behavior and Discipline (p. 36).

A copy of this document will be placed in your Human Resources personnel file after 10 days. If you choose to do so, you may prepare a written response, which will be attached to this document.



Principal

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



My signature does not mean that I agree with this contents of this letter. It only confirms that I have received a copy. I recognize that I have the right to submit to Human Resources a written response to this letter of reprimand within 10 calendar days of this conference.



Gregory Salcido
3-26-14

Date

CC: [REDACTED], Superintendent
[REDACTED], Director [REDACTED]
[REDACTED], ERFT President

SCHOOL BEHAVIOR, DISCIPLINE, POSSESSION POLICY

The purpose of the following school discipline policy is to state the standards of conduct which students and faculty deem necessary for an effective learning environment. To encourage this atmosphere and to encourage student achievement, emphasis is placed on respect for self and others, as well as responsibility for care of property. Disciplinary steps will be taken as appropriate.

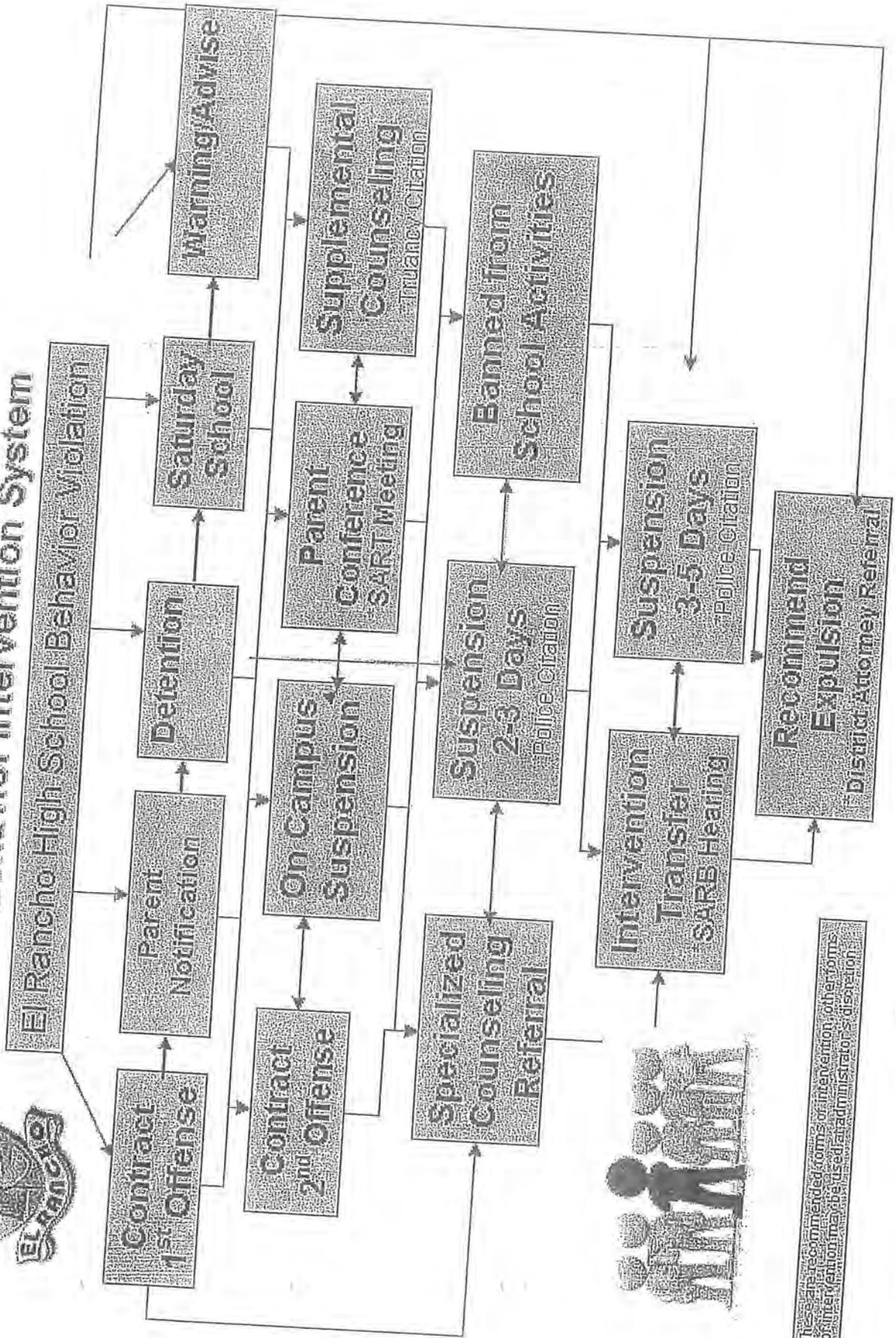
- Every student must correctly identify himself/herself when asked to do so by any school employee and **must be in possession of a school I.D. card at all times.**
- Students are not permitted to possess, sell, and furnish any weapon, real or fake, or any dangerous object on campus or at any school event.
- Possession of, selling or intent to sell any controlled substance or "look alike" substance will not be permitted on campus or at any school function.
- Possessions, and/or use of any tobacco product, including lighters or matches, are not permitted on campus or at any school function at any time.
- Students are not permitted to have in their possession and/or ignite firecrackers, M-80s, or other related explosives or flammable materials on campus or at any school function. Stink bombs and "poppers" are prohibited.
- Students who tamper with fire alarms or fire extinguisher are subject to arrest, suspension, or possible expulsion.
- Even though an offense may not be listed in this handbook, students are expected to use common sense and good judgment. Logical consequences are determined by administration in all situations, published or not.

Disruptive Behavior Procedures

- STEP 1:** The teacher holds an individual conference with the student and explains appropriate classroom behavior and consequences that might occur if inappropriate behavior continues. The teacher records conference date.
- STEP 2:** The teacher will contact the parent via Teleparent.
- STEP 3:** 3rd infraction - The teacher assigns before or after school detention in classroom, contacts parent via telephone and makes notation.
- STEP 4+:** 4th infraction - The teacher sends student to the Dean on a Behavioral Referral. The referral must include all prior action, especially verification of parent contact. Dean will assign appropriate consequence and interventions, which may include, but are not limited to the following:
- Detention/AAIP/Saturday School
 - Parent-Teacher conference
 - Placement on a daily behavioral contract/ Daily sign in
 - The parent may be required to make a classroom visitation
 - Community Service Hours
 - Loss of school related privileges
 - Removal from extra curricular activities
 - Removal from elected and appointed leadership positions
 - Suspension from School and/or recommended for expulsion



El Rancho High School Behavior Intervention System



These are recommended forms of intervention. Other forms of intervention may be used at administrator's discretion.

All Personnel

BP 4119.21

CODES OF ETHICS

4219.21

4319.21

The Governing Board expects district employees to maintain the highest ethical standards, to follow district policies and regulations, and to abide by state and national laws. Employee conduct should enhance the integrity of the district and the goals of the educational program.

The Board encourages district employees to accept as guiding principles the codes of ethics published by professional associations to which they may belong.

(cf. 9271 - Code of Ethics)

Legal Reference:

CODE OF REGULATIONS, TITLE 5

80331-80338 Rules of Conduct for Professional Educators

Policy
adopted: February 22, 1994

EL RANCHO UNIFIED SCHOOL DISTRICT
Pico Rivera, California

RULES OF CONDUCT FOR PROFESSIONAL EDUCATORS

Note: To replace its former "Code of Ethics," the California Commission on Teacher Credentialing drafted the following Rules of Conduct, which are found in the Code of Regulations, Title 5, Section 80331-80338. These Rules of Conduct became effective in February 1989 and are sent out with every teacher credential.

Title 5, Article 3. Rules of Conduct for Professional Educators.

General Provisions.

80331

- (a) These rules are binding upon every person holding a credential or any license to perform educational services under the jurisdiction of the Commission on Teacher Credentialing, and the consequences of any willful breach may be revocation or suspension of the credential, or license, or private admonition of the holder.
- (b) Nothing in these rules is intended to limit or supersede any provision of law relating to the duties and obligations of certificated persons or to the consequences of the violation of such duties and obligations. The prohibition of certain conduct in these rules is not to be interpreted as approval of conduct not specifically cited.
- (c) These rules may be cited and referred to as "Rules of Conduct for Professional Educators".
- (d) The Commission shall complete a study of the effect of these rules and present its findings to the Governor, the Legislature, and the State Board of Education no later than September 1, 1989.
- (e) As used in these rules:
 - (1) "Certificated person" means any person who holds a certificate, permit, credential, or other license authoring the performance of teaching or education-related service in grades K through 12 in California public schools.
 - (2) "Professional employment" means the performance for compensation of teaching or other education-related employment in a position for which certification requirements are set by law.
 - (3) "Confidential information" means information made confidential by Section 35301 of the Education Code; or, information which was provided to the certificated person solely for the purpose of facilitating his/her performance of professional services for or on behalf of the person or employer providing such information.

Professional Candor and Honesty in Letters or Memoranda of Employment Recommendation.

80332

- (a) A certificated person shall not write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true relating to the professional qualifications or personal fitness to perform certificated services of any person whom the writer knows will use the letter or memorandum to obtain professional employment nor shall he/she agree to provide a positive letter of recommendation which misrepresents facts as a condition of resignation or for withdrawing action against the employing agency.

**RULES OF CONDUCT
FOR PROFESSIONAL EDUCATORS**
(continued)

- (b) This rule has no application to statements identified in the letter or memorandum as personal opinions of the writer but does apply to unqualified statements as fact that which the writer does not know to be true or to statements as fact that which the writer knows to be untrue.

Withdrawal from Professional Employment.

80333

- (a) A certificated person shall not abandon professional employment without good cause.
- (b) "Good cause" includes, but is not necessarily limited to, circumstances not caused by or under the voluntary control of the certificated person.

Unauthorized Private Gain or Advantage.

80334 A certificated person shall not:

- (a) Use for his/her own private gain or advantage or to prejudice the rights or benefits of another person any confidential information relating to students or fellow professionals;
- (b) Use for his/her own private gain or advantage the time, facilities, equipment, or supplies which are the property of his/her employer without the express or clearly implied permission of his/her employer;
- (c) Accept any compensation or benefit or thing of value other than his/her regular compensation for the performance of any service which he/she is required to render in the course and scope of his/her certificated employment. This rule shall not restrict performance of any overtime or supplemental services at the request of the school employer; nor shall it apply to or restrict the acceptance of gifts or tokens of minimal value offered and accepted openly from students, parents or other persons in recognition or appreciation of service.

Performance of Unauthorized Professional Services.

80335 A certificated person shall not, after July 1, 1989:

- (a) Knowingly, accept an assignment to perform professional services if he or she does not possess a credential authorizing the service to be performed; unless he or she has first exhausted any existing local remedies to correct the situation, has then notified the county superintendent of schools in writing of the incorrect assignment, and the county superintendent of schools has made a determination, within 45 days of receipt of the notification, that the assignment was caused by extraordinary circumstances which make correction impossible, pursuant to the procedures referred to in Education Code Section 44258.9 (g) (2) and (3).
- (b) Knowingly and willfully assign or require a subordinate certificated person to perform any professional service which the subordinate is not authorized to perform by his or her credential or which is not approved by appropriate governing board authorization, unless he or she has made reasonable attempts to correct the situation but has been unsuccessful, and has notified the county superintendent of schools of those attempts, and the county superintendent of schools has determined, within 45 days of being notified of the assignment, that the assignment was caused by extraordinary circumstances which make correction impossible.

**RULES OF CONDUCT
FOR PROFESSIONAL EDUCATORS**
(continued)

- (c) Neither (a) nor (b) shall be applicable in a situation where extraordinary circumstances make the correction of the misassignment impossible.
- (d) There shall be no adverse action taken against a certificated person under this rule for actions attributable to circumstances beyond his or her control.

Performance with Impaired Faculties.

80336

(a) A certificated person shall not:

- (1) Perform or attempt to perform any duties or services authorized by his or her credential during any period in which he or she knows or is in possession of facts showing that his or her mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.
- (2) Assign or require or permit a subordinate certificated person to perform any duties authorized by his or her credential during any period in which the superior certificated person knows of his or her own knowledge or is in possession of facts showing that the subordinate certificated person's mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.

(b) For the purpose of this rule, substantial impairment means a visible inability to perform the usual and customary duties of the position in a manner that does not represent a danger to pupils, employees, or school property. It does not include or mean inability attributable to lack of, or inadequate, professional preparation or education.

Harassment and Retaliation Prohibited

80337

No certificated person shall directly or indirectly use or threaten to use any official authority or influence in any manner whatsoever which tends to discourage, restrain, interfere with, coerce, or discriminate against any subordinate or any certificated person who in good faith reports, discloses, divulges, or otherwise brings to the attention of the governing board of a school district, the Commission on Teacher Credentialing or any other public agency authorized to take remedial action, any facts or information relative to actual or suspected violation of any law regulating the duties of persons serving in the public school system, including but not limited to these rules of professional conduct.

Discrimination Prohibited.

80338 A certificated person shall not, without good cause, in the course and scope of his or her certificated employment and solely because of race, color, creed, gender, national origin, handicapping condition or sexual orientation, refuse or fail to perform certificated services for any person.

ABSENCES AND EXCUSES

The Governing Board believes that regular attendance plays a key role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged six to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct the problems of chronic absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)
(cf. 5112.2 - Exclusions from Attendance)
(cf. 5113.1 - Chronic Absence and Truancy)

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy and administration regulations. (Education Code 48205)

(cf. 6154 - Homework/Makeup Work)

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

At the beginning of each academic year, the Superintendent or designee shall send notification to the parents/guardians of all students, and to all students in grades seven through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

(cf. 5145.6 - Parental Notifications)

Students shall not be absent from school without their parents/guardians knowledge or consent except in cases of medical emergency or confidential medical appointment.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations. Education Code 46014)

Effect of Absence on Grades/Credits

If a student's absence is excused under Education Code 48205, he/she shall be allowed to complete any missed assignment or test that can be reasonably given, as determined by the teacher of that class. The student shall be given full credit for the assignment or test if he/she

ABSENCES AND EXCUSES (continued)

satisfactorily completes the assignment or test within a reasonable period of time. (Education Code 48205)

A student's grades may be affected by excessive unexcused absences in accordance with Board policy.

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6154 - Homework/Makeup Work)

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

2550-2558.6 Computation of revenue limits

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

46010-46014 Absences

46100-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48210-48216 Exclusions from attendance

48240-48246 Supervisors of attendance

48260-48273 Truants

48292 Filing complaint against parent

48320-48324 School attendance review boards

48340-48341 Improvement of student attendance

49067 Unexcused absences as cause of failing grade

49701 Provisions of the interstate compact on educational opportunities for military children

ELECTIONS CODE

12302 Student participation on precinct boards

FAMILY CODE

6920-6929 Consent by minor

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

ATTORNEY GENERAL OPINIONS

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

66 Ops. Cal. Atty. Gen. 244 (1983)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Policy

adopted: November 8, 2012

EL RANCHO UNIFIED SCHOOL DISTRICT
Pico Rivera, California

Students

AR 5113 (a)

ABSENCES AND EXCUSES

Excused Absence

A student's absence shall be excused for the following reasons:

1. Personal illness. (Education Code 46010)
2. Quarantine under the direction of a county or city health officer. (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)
3. Medical, dental, optometrical, or chiropractic appointments. (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family. (Education Code 46010)
 - a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out-of-state. (Education Code 48205)
 - b. "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/ daughter-in-law, brother, sister or any relative living in the immediate household of the student. (Education Code 45194, 48205)
5. Jury duty in the manner provided by law. (Education Code 48205)
6. The illness or medical appointment during school hours of a child to whom the student is the custodial parent (Education Code 48205)

(cf. 5146 - Married/Pregnant/Parenting Students)

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a holiday or ceremony of his/her religion

ABSENCES AND EXCUSES (continued)

- d. Attendance at religious retreats not to exceed four hours per semester
 - e. Attendance at an employment conference
 - f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

9. To spend time with his/her immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

(cf. 6173.2 - Education of Children of Military Families)

10. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy (Education Code 46014)
- a. In such instances, the student shall attend at least the minimum school day.
 - b. The student shall be excused for this purpose on no more than four days per school month.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Method of Verification

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent-representative.

ABSENCES AND EXCUSES (continued)

2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student.
 - b. Name of parent/guardian or parent representative.
 - c. Name of verifying employee.
 - d. Date or dates of absence.
 - e. Reason for absence.
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was actually absent for the reasons stated. The employee shall document the verification and include information outlined above in item number 2.
4. Physician's verification.
 - a. 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.
 - b. When a student has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.

Students

BP 5144 (a)

DISCIPLINE

The Governing Board desire to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

- (cf. 5020 - Parent Rights and Responsibilities)
- (cf. 5137 - Positive School Climate)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)
- (cf. 6020 - Parent Involvement)

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules in accordance with law to meet the school's individual needs.

- (cf. 5131 - Conduct)
- (cf. 5131.1 - Bus Conduct)

When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline.

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3515 - Campus Security)
- (cf. 3515.3 - District Police Department)
- (cf. 3515.4 - Recovery for Property Loss or Damage)
- (cf. 4158/4258/4358 - Employee Security)
- (cf. 5136 - Gangs)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 6164.5 - Student Study Teams)
- (cf. 6159.4 - Behavior Interventions for Special Education Students)
- (cf. 6182 - Opportunity School/Class/Program)
- (cf. 6184 - Continuation Education)
- (cf. 6185 - Community Day School)

Staff shall enforce disciplinary rules fairly, consistently and without discrimination.

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

DISCIPLINE (continued)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills and implementing effective disciplinary techniques.

Legal Reference:

CIVIL CODE

1714.1 Parental Liability for Child's Misconduct

EDUCATION CODE

35146 Closed sessions

35291 Rules

35291.5 School-adopted discipline rules

35291.7 School-adopted discipline rules: additional employees

35294-35294.9 School Safety Plans

37223 Weekend Classes

44807.5 Restriction from recess

48630-48644.5 Opportunity schools

48900-48925 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49330-49334 Injurious objects

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995 revised 1999

CDE PROGRAM ADVISORIES

1010.89 Physical Exercise as Corporal Punishment, CIL 89/9-3

1228.88 Corporal Punishment, CIL: 88/9-5

DISCIPLINE

Site Level Rules

Rules for student discipline shall be developed at each school site. In developing these rules, each school shall solicit the participation, views and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any
5. For middle and high schools, students enrolled in the school

The final version of the rules shall be adopted by a panel comprised of the principal or designee and a representative selected by classroom teachers employed at the school. The rules shall be consistent with law, Governing Board policy and district regulations. Each school shall file a copy of the rules with the Superintendent or designee and Board. (Education Code 35291.5)

(cf. 0450 - Comprehensive Safety Plan)

Disciplinary strategies provided in Board policy, regulation and law may be used in developing site-level rules. These strategies include but are not limited to:

1. Referral of the student for advice and counseling.

(cf. 6164.2 - Guidance/Counseling Services)

2. Discussion or conference with parents/guardians.

(cf. 5020 - Parents Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

3. Recess Restriction
4. Detention during and after school hours
5. Community service
6. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools)

(cf. 6182 - Opportunity School/Class/Program)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

7. Removal from the class in accordance with Board policy, administrative regulation and law.

DISCIPLINE (continued)

8. Suspension and expulsion.

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

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

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property. (Education Code 49001)

Recess Restriction

A teacher may restrict a student's recess time when he/she believes that this action is the most effective way to bring about improved behavior, subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. Teachers shall inform the principal of any recess restrictions they impose.

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day.

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee speaks to the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs.

Students shall remain under the supervision of a certificated employee during the period of detention.

DISCIPLINE (continued)

Community Service

Except when suspension or expulsion is required by law, the Superintendent, principal or principal's designee, at his/her discretion, may require a student to perform community service on school grounds during nonschool hours instead of imposing other disciplinary action. Such service may include, but is not limited to, outdoor beautification, campus betterment, and teacher or peer assistance programs. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291)

In addition, at the beginning of each school year, the principal or designee shall notify students and parents/guardians, in writing, regarding school rules related to discipline. Transfer students and their parents/guardians shall receive such notice upon enrollment. (Education Code 35291.5)

(cf. 4145.6 - Parental Notifications)

245.6. (a) It shall be unlawful to engage in hazing, as defined in this section.

(b) "Hazing" means any method of initiation or preinitiation into a student 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 to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term "hazing" does not include customary athletic events or school-sanctioned events.

(c) A violation of this section that does not result in serious bodily injury is a misdemeanor, punishable by a fine of not less than one hundred dollars (\$100), nor more than five thousand dollars (\$5,000), or imprisonment in the county jail for not more than one year, or both.

(d) Any person who personally engages in hazing that results in death or serious bodily injury as defined in paragraph (4) of subdivision (f) of Section 243 of the Penal Code, is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(e) The person against whom the hazing is directed may commence a civil action for injury or damages. The action may be brought against any participants in the hazing, or any organization to which the student is seeking membership whose agents, directors, trustees, managers, or officers authorized, requested, commanded, participated in, or ratified the hazing.

(f) Prosecution under this section shall not prohibit prosecution under any other provision of law.

EDUCATION CODE

SECTION 49000-49001

49000. The Legislature finds and declares that the protection against corporal punishment, which extends to other citizens in other walks of life, should include children while they are under the control of the public schools. Children of school age are at the most vulnerable and impressionable period of their lives and it is wholly reasonable that the safeguards to the integrity and sanctity of their bodies should be, at this tender age, at least equal to that afforded to other citizens.

49001. (a) For the purposes of this section "corporal punishment" means the willful infliction of, or willfully causing the infliction of, physical pain on a pupil. An amount of force that is reasonable and necessary for a person employed by or engaged in a public school to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the pupil, is not and shall not be construed to be corporal punishment within the meaning and intent of this section. Physical pain or discomfort caused by athletic competition or other such recreational activity, voluntarily engaged in by the pupil, is not and shall not be construed to be corporal punishment within the meaning and intent of this section.

(b) No person employed by or engaged in a public school shall inflict, or cause to be inflicted corporal punishment upon a pupil. Every resolution, bylaw, rule, ordinance, or other act or authority permitting or authorizing the infliction of corporal punishment upon a pupil attending a public school is void and unenforceable.

POSITIVE SCHOOL CLIMATE

The Governing Board desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students feel comfortable, share the responsibility for maintaining a positive school climate, and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 3515 - Campus Security)
- (cf. 3515.2 - Disruptions)
- (cf. 5030 - Student Wellness)
- (cf. 5131.2 - Bullying)
- (cf. 5131.4 - Student Disturbances)
- (cf. 5142 - Safety)
- (cf. 5145.3 - Nondiscrimination/Harassment)

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

- (cf. 4119.21/4219.21/4319.21 - Professional Standards)

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use. If school personnel witness an act of discrimination, harassment, intimidation, or bullying, he or she shall take immediate steps to intervene when safe to do so. (Education Code 234.1)

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3513.3 - Tobacco-Free Schools)
- (cf. 4020 - Drug and Alcohol-Free Workplace)
- (cf. 5131 - Conduct)
- (cf. 5131.1 - Bus Conduct)
- (cf. 5131.2 - Bullying)
- (cf. 5131.6 - Alcohol and Drugs)
- (cf. 5131.7 - Weapons and Dangerous Instruments)
- (cf. 5136 - Gangs)
- (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)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)

POSITIVE SCHOOL CLIMATE (continued)

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

- (cf. 5131.9 - Academic Honesty)
- (cf. 6141 - Curriculum Development and Evaluation)
- (cf. 6142.3 - Civic Education)
- (cf. 6142.4 - Service Learning/Community Service Classes)
- (cf. 6142.92- History-Social Science Instruction)
- (cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

- (cf. 1240 - Volunteer Assistance)
- (cf. 5126 - Awards for Achievement)
- (cf. 5131.5 - Vandalism and Graffiti)
- (cf. 5148.2 - Before/After School Programs)
- (cf. 6020 - Parent Involvement)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6145.5 - Student Organizations and Equal Access)

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The schools shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction, and mediation skills.

- (cf. 5138 - Conflict Resolution/Peer Mediation)
- (cf. 6164.2 - Guidance/Counseling Services)

Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

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

EDUCATION CODE

SECTION 200-201

200. It is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, equal rights and opportunities in the educational institutions of the state. The purpose of this chapter is to prohibit acts that are contrary to that policy and to provide remedies therefor.

201. (a) All pupils have the right to participate fully in the educational process, free from discrimination and harassment.

(b) California's public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity.

(c) Harassment on school grounds directed at an individual on the basis of personal characteristics or status creates a hostile environment and jeopardizes equal educational opportunity as guaranteed by the California Constitution and the United States Constitution.

(d) There is an urgent need to prevent and respond to acts of hate violence and bias-related incidents that are occurring at an increasing rate in California's public schools.

(e) There is an urgent need to teach and inform pupils in the public schools about their rights, as guaranteed by the federal and state constitutions, in order to increase pupils' awareness and understanding of their rights and the rights of others, with the intention of promoting tolerance and sensitivity in public schools and in society as a means of responding to potential harassment and hate violence.

(f) It is the intent of the Legislature that each public school undertake educational activities to counter discriminatory incidents on school grounds and, within constitutional bounds, to minimize and eliminate a hostile environment on school grounds that impairs the access of pupils to equal educational opportunity.

(g) It is the intent of the Legislature that this chapter shall be interpreted as consistent with Article 9.5 (commencing with Section 1135) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, Title VI of the federal Civil Rights Act of 1964 (42 U.S.C. Sec. 1981, et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681, et seq.), Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), the federal Equal Educational Opportunities Act (20 U.S.C. Sec. 1701, et seq.), the Unruh Civil Rights Act (Secs. 51 to 53, incl., Civ. C.), and the Fair Employment and Housing Act (Pt. 2.8 commencing with Sec. 12900), Div. 3, Gov. C.), except where this chapter may grant more protections or impose additional obligations, and that the remedies provided herein shall not be the exclusive remedies, but may be combined with remedies that may be provided by

the above statutes.

Exhibit P

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



TO: Gregory Salcido, Social Studies Teacher
FROM: [REDACTED] Principal
Date: October 30, 2014
Subject: Letter of Reprimand

You were engaged in the following conduct:

On October 14, 2014, one of your second period students, [REDACTED] arrived to your class without completing the essay that was due. You approached the student and asked her for her essay. She replied, "I did not do it." You responded, "Then what are you doing here? Get out!" The student replied, "Really?" You replied, "Yes. I told you to do the essay and you did not, so get out. Do you want me to write a referral and send you to the office? I don't even know how to fill them out." [REDACTED] got up to leave your classroom. She was wearing her scrubs, as she is a student in our First Responder class. As she was leaving, you said, "Hey, Nurse Jackie, come back here." The student did not reply and she left the classroom.

On October 16, 2014, you [REDACTED] outside of your class right before the beginning of 2nd period. You asked her if she finished her essay and she replied, "No." You replied, "If you don't have your essay, then there is no reason for you to come to class."

This conducted violated:

1. The directive in your letter of reprimand dated March 26, 2014 referencing incidents from March 13, 2014 and March 20, 2014. The directive stated:
Effective immediately, you are to adhere to Board Policy unless you have made arrangements with the principal or a designee. Additionally, during instructional hours, you are not to remove students from your class without writing a referral to the office and calling the office to come and pick the student up from your class.
2. Board Policy 5144 and Administrative Regulation 5144 (see attached).
3. Education Code 200-201: "All pupils have the right to participate fully in the educational process, free from discrimination and harassment."
4. Board Policy 5137 (a): "All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear explanations for student behavior."
5. Board Policy 5113 (a) "The Governing Board believes that regular attendance plays a key role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly."

Your conduct negatively impacted the instructional program and the safety of students inasmuch as the students were not in their assigned class and if parents, administration, counselors, etc. were to try to locate them, these students would not be accounted for. You forced students to miss instructional time from their assigned class.

7
Salcido, Vol 1
2/22/18
WRITE
PAGE
APR
DATE

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



Effective immediately, you are to adhere to Board Policy unless you have made arrangements with the principal or a designee. Additionally, during instructional hours, you are not to remove students from your class without writing a referral to the office and calling the office to come and pick the student up from your class.

To assist in correcting this conduct, I offer the following suggestions:

- Review Board Policy, California Standards for the Teaching Profession and California Education Code.
- Review the student handbook section on School Behavior and Discipline (p. 36).

A copy of this document will be placed in your Human Resources personnel file after 10 days. If you choose to do so, you may prepare a written response, which will be attached to this document.



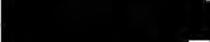
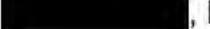
Principal

My signature does not mean that I agree with this contents of this letter. It only confirms that I have received a copy. I recognize that I have the right to submit to Human Resources a written response to this letter of reprimand within 10 calendar days of this letter.



Gregory Salcido
11-14-14

Date

CC: , Superintendent
, Director 
, ERFT President

All Personnel

BP 4119.21

CODES OF ETHICS

4219.21

4319.21

The Governing Board expects district employees to maintain the highest ethical standards, to follow district policies and regulations, and to abide by state and national laws. Employee conduct should enhance the integrity of the district and the goals of the educational program.

The Board encourages district employees to accept as guiding principles the codes of ethics published by professional associations to which they may belong.

(cf. 9271 - Code of Ethics)

Legal Reference:

CODE OF REGULATIONS, TITLE 5

80331-80338 Rules of Conduct for Professional Educators

Policy
adopted: February 22, 1994

EL RANCHO UNIFIED SCHOOL DISTRICT
Pico Rivera, California

RULES OF CONDUCT FOR PROFESSIONAL EDUCATORS

Note: To replace its former "Code of Ethics," the California Commission on Teacher Credentialing drafted the following Rules of Conduct, which are found in the Code of Regulations, Title 5, Section 80331-80338. These Rules of Conduct became effective in February 1989 and are sent out with every teacher credential.

Title 5, Article 3. Rules of Conduct for Professional Educators.

General Provisions.

80331

- (a) These rules are binding upon every person holding a credential or any license to perform educational services under the jurisdiction of the Commission on Teacher Credentialing, and the consequences of any willful breach may be revocation or suspension of the credential, or license, or private admonition of the holder.
- (b) Nothing in these rules is intended to limit or supersede any provision of law relating to the duties and obligations of certificated persons or to the consequences of the violation of such duties and obligations. The prohibition of certain conduct in these rules is not to be interpreted as approval of conduct not specifically cited.
- (c) These rules may be cited and referred to as "Rules of Conduct for Professional Educators".
- (d) The Commission shall complete a study of the effect of these rules and present its findings to the Governor, the Legislature, and the State Board of Education no later than September 1, 1989.
- (e) As used in these rules:
 - (1) "Certificated person" means any person who holds a certificate, permit, credential, or other license authoring the performance of teaching or education-related service in grades K through 12 in California public schools.
 - (2) "Professional employment" means the performance for compensation of teaching or other education-related employment in a position for which certification requirements are set by law.
 - (3) "Confidential information" means information made confidential by Section 35301 of the Education Code; or, information which was provided to the certificated person solely for the purpose of facilitating his/her performance of professional services for or on behalf of the person or employer providing such information.

Professional Candor and Honesty in Letters or Memoranda of Employment Recommendation.

80332

- (a) A certificated person shall not write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true relating to the professional qualifications or personal fitness to perform certificated services of any person whom the writer knows will use the letter or memorandum to obtain professional employment nor shall he/she agree to provide a positive letter of recommendation which misrepresents facts as a condition of resignation or for withdrawing action against the employing agency.

**RULES OF CONDUCT
FOR PROFESSIONAL EDUCATORS**
(continued)

- (b) This rule has no application to statements identified in the letter or memorandum as personal opinions of the writer but does apply to unqualified statements as fact that which the writer does not know to be true or to statements as fact that which the writer knows to be untrue.

Withdrawal from Professional Employment.

80333

- (a) A certificated person shall not abandon professional employment without good cause.
- (b) "Good cause" includes, but is not necessarily limited to, circumstances not caused by or under the voluntary control of the certificated person.

Unauthorized Private Gain or Advantage.

80334 A certificated person shall not:

- (a) Use for his/her own private gain or advantage or to prejudice the rights or benefits of another person any confidential information relating to students or fellow professionals;
- (b) Use for his/her own private gain or advantage the time, facilities, equipment, or supplies which are the property of his/her employer without the express or clearly implied permission of his/her employer;
- (c) Accept any compensation or benefit or thing of value other than his/her regular compensation for the performance of any service which he/she is required to render in the course and scope of his/her certificated employment. This rule shall not restrict performance of any overtime or supplemental services at the request of the school employer; nor shall it apply to or restrict the acceptance of gifts or tokens of minimal value offered and accepted openly from students, parents or other persons in recognition or appreciation of service.

Performance of Unauthorized Professional Services.

80335 A certificated person shall not, after July 1, 1989:

- (a) Knowingly, accept an assignment to perform professional services if he or she does not possess a credential authorizing the service to be performed; unless he or she has first exhausted any existing local remedies to correct the situation, has then notified the county superintendent of schools in writing of the incorrect assignment, and the county superintendent of schools has made a determination, within 45 days of receipt of the notification, that the assignment was caused by extraordinary circumstances which make correction impossible, pursuant to the procedures referred to in Education Code Section 44258.9 (g) (2) and (3).
- (b) Knowingly and willfully assign or require a subordinate certificated person to perform any professional service which the subordinate is not authorized to perform by his or her credential or which is not approved by appropriate governing board authorization, unless he or she has made reasonable attempts to correct the situation but has been unsuccessful, and has notified the county superintendent of schools of those attempts, and the county superintendent of schools has determined, within 45 days of being notified of the assignment, that the assignment was caused by extraordinary circumstances which make correction impossible.

**RULES OF CONDUCT
FOR PROFESSIONAL EDUCATORS
(continued)**

- (c) Neither (a) nor (b) shall be applicable in a situation where extraordinary circumstances make the correction of the misassignment impossible.
- (d) There shall be no adverse action taken against a certificated person under this rule for actions attributable to circumstances beyond his or her control.

Performance with Impaired Faculties.

80336

- (a) A certificated person shall not:
 - (1) Perform or attempt to perform any duties or services authorized by his or her credential during any period in which he or she knows or is in possession of facts showing that his or her mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.
 - (2) Assign or require or permit a subordinate certificated person to perform any duties authorized by his or her credential during any period in which the superior certificated person knows of his or her own knowledge or is in possession of facts showing that the subordinate certificated person's mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.
- (b) For the purpose of this rule, substantial impairment means a visible inability to perform the usual and customary duties of the position in a manner that does not represent a danger to pupils, employees, or school property. It does not include or mean inability attributable to lack of, or inadequate, professional preparation or education.

Harassment and Retaliation Prohibited

80337

No certificated person shall directly or indirectly use or threaten to use any official authority or influence in any manner whatsoever which tends to discourage, restrain, interfere with, coerce, or discriminate against any subordinate or any certificated person who in good faith reports, discloses, divulges, or otherwise brings to the attention of the governing board of a school district, the Commission on Teacher Credentialing or any other public agency authorized to take remedial action, any facts or information relative to actual or suspected violation of any law regulating the duties of persons serving in the public school system, including but not limited to these rules of professional conduct.

Discrimination Prohibited.

80338 A certificated person shall not, without good cause, in the course and scope of his or her certificated employment and solely because of race, color, creed, gender, national origin, handicapping condition or sexual orientation, refuse or fail to perform certificated services for any person.

Students

BP 5113 (a)

ABSENCES AND EXCUSES

The Governing Board believes that regular attendance plays a key role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged six to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct the problems of chronic absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Chronic Absence and Truancy)

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy and administration regulations. (Education Code 48205)

(cf. 6154 - Homework/Makeup Work)

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

At the beginning of each academic year, the Superintendent or designee shall send notification to the parents/guardians of all students, and to all students in grades seven through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

(cf. 5145.6 - Parental Notifications)

Students shall not be absent from school without their parents/guardians knowledge or consent except in cases of medical emergency or confidential medical appointment.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations. Education Code 46014)

Effect of Absence on Grades/Credits

If a student's absence is excused under Education Code 48205, he/she shall be allowed to complete any missed assignment or test that can be reasonably given, as determined by the teacher of that class. The student shall be given full credit for the assignment or test if he/she

ABSENCES AND EXCUSES (continued)

satisfactorily completes the assignment or test within a reasonable period of time. (Education Code 48205)

A student's grades may be affected by excessive unexcused absences in accordance with Board policy.

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6154 - Homework/Makeup Work)

Legal Reference:

EDUCATION CODE

- 1740 Employment of personnel to supervise attendance (county superintendent)
- 2550-2558.6 Computation of revenue limits
- 37201 School month
- 37223 Weekend classes
- 41601 Reports of average daily attendance
- 42238-42250.1 Apportionments
- 46000 Records (attendance)
- 46010-46014 Absences
- 46100-46119 Attendance in kindergarten and elementary schools
- 46140-46147 Attendance in junior high and high schools
- 48200-48208 Children ages 6-18 (compulsory full-time attendance)
- 48210-48216 Exclusions from attendance
- 48240-48246 Supervisors of attendance
- 48260-48273 Truants
- 48292 Filing complaint against parent
- 48320-48324 School attendance review boards
- 48340-48341 Improvement of student attendance
- 49067 Unexcused absences as cause of failing grade
- 49701 Provisions of the interstate compact on educational opportunities for military children

ELECTIONS CODE

- 12302 Student participation on precinct boards

FAMILY CODE

- 6920-6929 Consent by minor

VEHICLE CODE

- 13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

- 601-601.4 Habitually truant minors
- 11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

- 306 Explanation of absence
- 420-421 Record of verification of absence due to illness and other causes

ATTORNEY GENERAL OPINIONS

- 87 Ops.Cal.Atty.Gen. 168 (2004)
- 66 Ops.Cal.Atty.Gen. 244 (1983)

COURT DECISIONS

- American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Policy
adopted: November 8, 2012

EL RANCHO UNIFIED SCHOOL DISTRICT
Pico Rivera, California

Students

AR 5113 (a)

ABSENCES AND EXCUSES

Excused Absence

A student's absence shall be excused for the following reasons:

1. Personal illness. (Education Code 46010)
2. Quarantine under the direction of a county or city health officer. (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)
3. Medical, dental, optometrical, or chiropractic appointments. (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family. (Education Code 46010)
 - a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out-of-state. (Education Code 48205)
 - b. "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/ daughter-in-law, brother, sister or any relative living in the immediate household of the student. (Education Code 45194, 48205)
5. Jury duty in the manner provided by law. (Education Code 48205)
6. The illness or medical appointment during school hours of a child to whom the student is the custodial parent (Education Code 48205)

(cf. 5146 - Married/Pregnant/Parenting Students)

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. Observation of a holiday or ceremony of his/her religion

ABSENCES AND EXCUSES (continued)

- d. Attendance at religious retreats not to exceed four hours per semester
 - e. Attendance at an employment conference
 - f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

9. To spend time with his/her immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

(cf. 6173.2 - Education of Children of Military Families)

10. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy (Education Code 46014)
- a. In such instances, the student shall attend at least the minimum school day.
 - b. The student shall be excused for this purpose on no more than four days per school month.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Method of Verification

When students who have been absent return to school, they must present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent-representative.

ABSENCES AND EXCUSES (continued)

2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student.
 - b. Name of parent/guardian or parent representative.
 - c. Name of verifying employee.
 - d. Date or dates of absence.
 - e. Reason for absence.
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was actually absent for the reasons stated. The employee shall document the verification and include information outlined above in item number 2.
4. Physician's verification.
 - a. 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.
 - b. When a student has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.

Students

BP 5144 (a)

DISCIPLINE

The Governing Board desire to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

- (cf. 5020 - Parent Rights and Responsibilities)
- (cf. 5137 - Positive School Climate)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)
- (cf. 6020 - Parent Involvement)

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules in accordance with law to meet the school's individual needs.

- (cf. 5131 - Conduct)
- (cf. 5131.1 - Bus Conduct)

When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline.

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3515 - Campus Security)
- (cf. 3515.3 - District Police Department)
- (cf. 3515.4 - Recovery for Property Loss or Damage)
- (cf. 4158/4258/4358 - Employee Security)
- (cf. 5136 - Gangs)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 6164.5 - Student Study Teams)
- (cf. 6159.4 - Behavior Interventions for Special Education Students)
- (cf. 6182 - Opportunity School/Class/Program)
- (cf. 6184 - Continuation Education)
- (cf. 6185 - Community Day School)

Staff shall enforce disciplinary rules fairly, consistently and without discrimination.

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

DISCIPLINE (continued)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills and implementing effective disciplinary techniques.

Legal Reference:

CIVIL CODE

1714.1 Parental Liability for Child's Misconduct

EDUCATION CODE

35146 Closed sessions

35291 Rules

35291.5 School-adopted discipline rules

35291.7 School-adopted discipline rules: additional employees

35294-35294.9 School Safety Plans

37223 Weekend Classes

44807.5 Restriction from recess

48630-48644.5 Opportunity schools

48900-48925 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49330-49334 Injurious objects

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995 revised 1999

CDE PROGRAM ADVISORIES

1010.89 Physical Exercise as Corporal Punishment, CIL 89/9-3

1228.88 Corporal Punishment, CIL: 88/9-5

Students

AR 5144 (a)

DISCIPLINE

Site Level Rules

Rules for student discipline shall be developed at each school site. In developing these rules, each school shall solicit the participation, views and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any
5. For middle and high schools, students enrolled in the school

The final version of the rules shall be adopted by a panel comprised of the principal or designee and a representative selected by classroom teachers employed at the school. The rules shall be consistent with law, Governing Board policy and district regulations. Each school shall file a copy of the rules with the Superintendent or designee and Board. (Education Code 35291.5)

(cf. 0450 - Comprehensive Safety Plan)

Disciplinary strategies provided in Board policy, regulation and law may be used in developing site-level rules. These strategies include but are not limited to:

1. Referral of the student for advice and counseling.

(cf. 6164.2 - Guidance/Counseling Services)

2. Discussion or conference with parents/guardians.

(cf. 5020 - Parents Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

3. Recess Restriction
4. Detention during and after school hours
5. Community service
6. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools)

(cf. 6182 - Opportunity School/Class/Program)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

7. Removal from the class in accordance with Board policy, administrative regulation and law.

DISCIPLINE (continued)

8. Suspension and expulsion.

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

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

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property. (Education Code 49001)

Recess Restriction

A teacher may restrict a student's recess time when he/she believes that this action is the most effective way to bring about improved behavior, subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. Teachers shall inform the principal of any recess restrictions they impose.

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day.

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee speaks to the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs.

Students shall remain under the supervision of a certificated employee during the period of detention.

DISCIPLINE (continued)

Community Service

Except when suspension or expulsion is required by law, the Superintendent, principal or principal's designee, at his/her discretion, may require a student to perform community service on school grounds during nonschool hours instead of imposing other disciplinary action. Such service may include, but is not limited to, outdoor beautification, campus betterment, and teacher or peer assistance programs. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291)

In addition, at the beginning of each school year, the principal or designee shall notify students and parents/guardians, in writing, regarding school rules related to discipline. Transfer students and their parents/guardians shall receive such notice upon enrollment. (Education Code 35291.5)

(cf. 4145.6 - Parental Notifications)

Students

BP 5137 (a)

POSITIVE SCHOOL CLIMATE

The Governing Board desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students feel comfortable, share the responsibility for maintaining a positive school climate, and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 3515 - Campus Security)
- (cf. 3515.2 - Disruptions)
- (cf. 5030 - Student Wellness)
- (cf. 5131.2 - Bullying)
- (cf. 5131.4 - Student Disturbances)
- (cf. 5142 - Safety)
- (cf. 5145.3 - Nondiscrimination/Harassment)

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

- (cf. 4119.21/4219.21/4319.21 - Professional Standards)

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use. If school personnel witness an act of discrimination, harassment, intimidation, or bullying, he or she shall take immediate steps to intervene when safe to do so. (Education Code 234.1)

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3513.3 - Tobacco-Free Schools)
- (cf. 4020 - Drug and Alcohol-Free Workplace)
- (cf. 5131 - Conduct)
- (cf. 5131.1 - Bus Conduct)
- (cf. 5131.2 - Bullying)
- (cf. 5131.6 - Alcohol and Drugs)
- (cf. 5131.7 - Weapons and Dangerous Instruments)
- (cf. 5136 - Gangs)
- (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)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)

POSITIVE SCHOOL CLIMATE (continued)

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

- (cf. 5131.9 - Academic Honesty)
- (cf. 6141 - Curriculum Development and Evaluation)
- (cf. 6142.3 - Civic Education)
- (cf. 6142.4 - Service Learning/Community Service Classes)
- (cf. 6142.92- History-Social Science Instruction)
- (cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

- (cf. 1240 - Volunteer Assistance)
- (cf. 5126 - Awards for Achievement)
- (cf. 5131.5 - Vandalism and Graffiti)
- (cf. 5148.2 - Before/After School Programs)
- (cf. 6020 - Parent Involvement)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6145.5 - Student Organizations and Equal Access)

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The schools shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction, and mediation skills.

- (cf. 5138 - Conflict Resolution/Peer Mediation)
- (cf. 6164.2 - Guidance/Counseling Services)

Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

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

POSITIVE SCHOOL CLIMATE (continued)

Legal Reference:

EDUCATION CODE .

200-262.4 Prohibition of discrimination

32280-32289 School safety plans

32295.5 Teen court programs

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

44807 Teachers' duty concerning conduct of students

48900-48925 Suspension and expulsion

EDUCATION CODE

SECTION 200-201

200. It is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, equal rights and opportunities in the educational institutions of the state. The purpose of this chapter is to prohibit acts that are contrary to that policy and to provide remedies therefor.

201. (a) All pupils have the right to participate fully in the educational process, free from discrimination and harassment.

(b) California's public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity.

(c) Harassment on school grounds directed at an individual on the basis of personal characteristics or status creates a hostile environment and jeopardizes equal educational opportunity as guaranteed by the California Constitution and the United States Constitution.

(d) There is an urgent need to prevent and respond to acts of hate violence and bias-related incidents that are occurring at an increasing rate in California's public schools.

(e) There is an urgent need to teach and inform pupils in the public schools about their rights, as guaranteed by the federal and state constitutions, in order to increase pupils' awareness and understanding of their rights and the rights of others, with the intention of promoting tolerance and sensitivity in public schools and in society as a means of responding to potential harassment and hate violence.

(f) It is the intent of the Legislature that each public school undertake educational activities to counter discriminatory incidents on school grounds and, within constitutional bounds, to minimize and eliminate a hostile environment on school grounds that impairs the access of pupils to equal educational opportunity.

(g) It is the intent of the Legislature that this chapter shall be interpreted as consistent with Article 9.5 (commencing with Section 1135) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, Title VI of the federal Civil Rights Act of 1964 (42 U.S.C. Sec. 1981, et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681, et seq.), Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)), the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), the federal Equal Educational Opportunities Act (20 U.S.C. Sec. 1701, et seq.), the Unruh Civil Rights Act (Secs. 51 to 53, incl., Civ. C.), and the Fair Employment and Housing Act (Pt. 2.8 commencing with Sec. 12900), Div. 3, Gov. C.), except where this chapter may grant more protections or impose additional obligations, and that the remedies provided herein shall not be the exclusive remedies, but may be combined with remedies that may be provided by

the above statutes.

Exhibit Q

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



Memorandum El Rancho High School

Date: 10/12/2009

To: Greg Salcido

From: [REDACTED] Assistant Principal [REDACTED]

Re: Summary of Conference

This memorandum will summarize the informal conference we had on 10/07/2009 in your classroom regarding students that did not do their assigned work.

I entered your classroom at 3:05 pm on 10/07/2009 to ask you to meet with me during your prep on Friday, 10/9/2009, regarding the students that were out of your class during 3rd and 6th period. You ask me "Why Friday?" and stated "Lets discuss this now." I agreed due to the fact that we both had time and you were willing to meet immediately. We did in fact discuss many issues beyond what happened in regards to the assignment that was supposed to have been written by [REDACTED], [REDACTED], and [REDACTED]. For the purposes of this summary, I will only focus on the parts of our discussion related to this assignment and these students.

As part of the discussion:

- You stated you did not allow the students in class because they were not prepared and stated they were "de facto truant."
- I expressed understanding in regards for the need of students to come prepared to class, but I also stated it is your professional responsibility to supervise those students due to the fact that they are scheduled to be in your class at that time.
- You stated that we should have higher expectations for students and that they should not be allowed to come to class if not prepared. You also mentioned several times the need for revolutionary thought in regards to public education and El Rancho High School.
- I then made several suggestions in regards to better helping these particular students:
 - Use tutorial as the necessary time for these students to complete their work.
 - Hold them after school until 3:30 pm in order for them to complete their work.
 - Schedule time with the librarian, so the students can work in the library.
 - Give the student an "F" on the assignment and focus your efforts towards the students that are coming prepared.
- You philosophically disagreed with these suggestions, and I stated that you were in fact the teacher and they were simply suggestions.
- I then explained again liability issues regarding our job as the professionals and proper supervision of minors.
- At this point, you did state you understood the need for proper supervision even though it does go against your personal philosophy. You did state if they are defiantly not doing what is asked of them, then you would write an official referral sending them up to the office, and the grade level dean would possibly take disciplinary action if the student violated any of the acts listed under Ed. Code, section 48900.

EXHIBIT
WITNESS: Salcido, Vol 1
PAGE OF
REF: O. ZEPEZAUER, 6275
DATE: 2/22/18

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



- You also stated that the next time you assign an essay, you will advise the grade level dean beforehand in case this issue arises again.
- Towards the end of our discussion, you stated that we as a school are forcing you to do something that you do not want to do, but you understand that students need to be supervised at all times and that we as the professional adults must provide that supervision.
- I also explained that [REDACTED] will be suspended from your class for 2 days for using profanity that was directed at a staff member.

End of Conference.

****Reminder****

EC 48910 - Suspension from class by teacher; reports; parent-teacher conferences.

The student, according to Ed. Code 48910 (a) can only be suspended from class for any of the acts enumerated in section 48900, for the day of the offense and the day following. Ed. Code further explains that if a student is not to be admitted into class, a parent-teacher conference needs to be arranged by the teacher as soon as possible.

Thank you very much for your understanding,

[REDACTED]
Assistant Principal [REDACTED]

Exhibit R

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



July 23, 2010

To: Gregory Salcido, Teacher

From: [REDACTED] Assistant Principal [REDACTED]

RE: Letter of Reprimand

On July 20, 2010, I was contacted by [REDACTED] a student at El Rancho High School, and her father, [REDACTED], in regards to an incident that had occurred in your classroom on July 19, 2010. After listening to the student and her father, the student was asked to write a formal statement explaining what had happened. The guidance office interviewed several students and I have signed witness statements stating, on July 19, 2010, you engaged in the following conduct.

During your 2nd period class, you were witnessed telling [REDACTED] "Shut up or I'll kill you." Then you told the student "It wouldn't be good for us, especially for me because you are white." According to students in the class, [REDACTED] became offended and said, "Actually, I'm Irish." and you responded by saying "That is the same thing." The student became more upset as students in the class began laughing. Then witnesses overheard you saying, "You look like [REDACTED] aren't you half Nazi or something?" Witnesses also stated that you have previously referred to students as "beaners."

On July 2, 2010 you were verbally advised by [REDACTED], Assistant Principal of El Rancho High School to not use unprofessional and inappropriate words with students. This conversation was a result of allegations that were made by student, [REDACTED] in reference to you making a threat towards him. According to signed witness statements from [REDACTED] and another student, they both claimed you told [REDACTED] "Meet me at my house. I'll beat your ass," and "The only reason you act like this is because you know I can't hit you, but you are just a wimp."

Be advised that this conduct violates the Professional Conduct Policy 4119.21 as set forth by the El Rancho School Board of Education. Your conduct also violated the California Education Code Section 233.5 pertaining to character education.

Your conduct is inappropriate and unprofessional, and as a result, it has negatively impacted the instructional program in your classroom. Your conduct has also offended the students and parents we serve. These actions have a harmful effect on all students' self esteem and well being. Speaking to students in such a manner reduces your credibility and authority as a professional under the State of California's teaching profession.

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



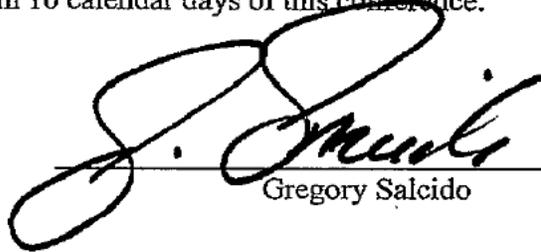
Effective immediately, you are directed to refrain from saying inappropriate, derogatory, and unprofessional comments towards any student. Failure to comply with this directive will result in additional disciplinary action.

To assist in correcting this conduct, I offer the following suggestions:

Review the El Rancho Unified School District Policy 4119.21, Rules of Conduct for Professional Educators for assistance and recommendations regarding your conduct. If you have questions concerning more effective and appropriate ways to speak to students, schedule a meeting with me to review the information.

A copy of this document will be placed in your Human Resources personnel file after 10 days. If you choose to do so, you may prepare a written response, which will be attached to this document.

My signature does not mean that I agree with the contents of this letter. It only confirms that I have received a copy. I recognize that I have the right to submit to Human Resources a written response to this letter of reprimand within 10 calendar days of this conference.



Gregory Salcido

CC. [REDACTED] Superintendent
[REDACTED] Assistant Superintendent [REDACTED]
[REDACTED] Principal
[REDACTED] ERFT President

Exhibit S

EL RANCHO UNIFIED SCHOOL DISTRICT

2017/2018

**PARENT-STUDENT
HANDBOOK**

<http://WWW.ERUSD.ORG>

"Quality Education Today for a Better Tomorrow"

El Rancho Unified School District

The El Rancho Unified School District will actively partner with the community as its leading educational institution that provides a technology rich and innovative learning environment for all students. Students will be challenged to become college and career ready and life-long learners.

Board of Education

Dr. Aurora R. Villon, President
Jose Lara, Vice President
Gabriel A. Orosco, Clerk
Dr. Teresa L. Merino, Member
Lorraine M. De La O, Member

Dr. Roxane Fuentes
Interim Superintendent

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EMERGENCY PREPAREDNESS

Disaster Preparedness

Emergencies happen unexpectedly at any time. Confusion that may exist at that time can be reduced by carefully planning what must be done before, during, and after the emergency.

In the event of an emergency during the school day, the best place for students to remain is at school. During the emergency, it is essential that the school telephones are available to school personnel. The school should be called only if it is absolutely necessary. Students will not be released from school unless the emergency has ended or they have been picked up by their parents or authorized person(s).

Parents should prepare their children for an emergency: (1) By being aware of the emergency procedure instruction given to their children at school; (2) By keeping their child's emergency data card on file at the school updated at all times; (3) By establishing the safest and most direct route to and from school; (4) By arranging for a neighbor or friend to care for their child if the parents leave home for the day. El Rancho Unified School District has a detailed disaster preparedness program designed to deal with major disasters, including earthquakes. If a serious earthquake should occur during the school day, every effort will be made to keep students at a school site in a safe area until an authorized person noted on the disaster release card or emergency card arrives. Students not picked up will remain at a school site until the end of the normal school day, and will be released at that time if it is safe.

Coordinating terms composed of school personnel will direct all emergency operations. If a disaster occurs while students are on the way to school, they should continue on to school or go directly home, depending on road conditions or the shortest route. Please discuss this information at home with your student(s).

Emergency school closure

In the event that an emergency occurs, the closing of school will be broadcast on radio stations KFWB (980) and KNX (1070) between 6:00 a.m. and 6:30 p.m. During a major emergency, please do not tie up the telephone system. Listen to your radio for current information.

Emergency cards

An emergency card must be filled out for each child in school. For each child's safety and well-being, it is critical that the school office have current telephone numbers and addresses of parents, as well as names and phone numbers of neighbors or relatives who may be called if a child becomes ill or is injured while at school.

Please notify the office if any information on the emergency card needs to be updated, including mobile phone numbers and e-mail addresses. Remember, only those listed on the emergency card can pick up a student from school.

SCHOOL ATTENDANCE

Students may be absent from school for justifiable reasons but State funding will not be received unless the student is at school. Parents are encouraged to bring students to school after medical appointments. It is pertinent that all absences be cleared by providing a doctor's note when available or calling the attendance office.

Regular school attendance is important if a child is to achieve their full potential. As the new year begins, we urge you to make an extra effort to ensure that students establish a regular attendance pattern we commend those students and parent/guardians who are already meeting this goal.

Absences

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction.

Education code section 48205 states:

- A) Notwithstanding Section 48200 a pupil shall be excused from school when the absence is:
1. Due to his or her illness
 2. Due to quarantine under the direction of a county or city health officer.
 3. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
 4. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside of California.
 5. For the purpose of jury duty in the manner provided for by law
 6. Due to illness or medical appointment during school hours of a child of whom the pupil is the custodial parent
 7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a non-profit organization when the pupils absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 8. For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the elections code.
 9. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in 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.

10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
 - B) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which pupil is absent shall determine the tests and assignments that the pupil missed during the absence. No student shall have his/her grade reduced or lose academic credit for any absence or absences excused under EC 48205.
 - C) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
 - D) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state appointment payments.
 - E) "immediate family", as used in this section, has the same meaning as that set forth in section 45194, except that references therein to "employee" shall be deemed to be references to "pupil"

The common District practice is that the students who miss assignments or tests because of an excused absence as indicated above shall receive full credit for work completed within the time given by the teacher. The minimum number of days allowed, shall be equivalent to the number of days of absence.

The local school office will periodically review each student's attendance pattern. Parents/guardians will be notified if there is concern that the student's absence is threatening his/her educational progress. If your child has a verifiable, ongoing health/medical condition that may affect attendance, please notify the school.

If you find it necessary to keep your child out of school for reasons other than an illness, we encourage you to send your child to school for at least part of the day so that your child will not be counted absent and also will not miss out on important school assignments. It is crucial that local schools continue to receive the financial resources necessary to provide quality educational services and reduce program cuts. We want to avoid the unnecessary absences that reduce district resources and limit your child's opportunity to obtain good grades.

Studies show that there is a direct correlation between good school attendance and student achievement; therefore, we encourage you as parents to reinforce the importance of good school attendance and to make every effort to send your child to school on a regular basis.

Truancy

A student is considered truant after three absences or three tardies of more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, from the date of

enrollment to the current date, he/she is considered a chronic truant. A student who is absent from school, without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, he/she is considered a chronic truant. Unexcused absences are all absences that do not fall within EC48205.

The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from his/her home and who is absent from school without a valid excuse within the county, city or school district. A student who is truant may be referred to a School Attendance Review Board (SARB). Repeated violations may also result in lowering of achievement grade or removal from a particular class or classes. The City of Pico Rivera enforces an Anti-Truancy Ordinance and parents of truant students are subject to a fine.

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence 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 is 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; 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; or a pupil residing in a state hospital located within the boundaries of the school district.

A school district shall accept applications by electronic means for enrollment, including enrollment in a specific school or program within the school district, and course registration for military dependents. The parent shall provide proof of residence within 10 days after the published arrival date provided an official documentation related to his or her military move: temporary on-base billeting facility, purchased or leased home or apartment, or federal government or public-provide venture off-base military housing.

School Attendance Options

The El Rancho Unified School District has the following school attendance options available:

Inter-district Attendance Permits Students residing outside of district boundaries, may apply for an inter-district permit from their district of residence. If either district denies a transfer request, a parent/guardian may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision. No district is required to provide transportation to a student who transfers into the district.

- Intra-district permits may be granted for such reasons as childcare and social adjustment if space is available. Intra-district request must be made to the Administrator of the school of residence.
- Open Enrollment Act – Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student

may seek to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. Parents of high school athletes should check on CIF sports eligibility rules before pursuing a transfer under this option. Transportation to any other school is the responsibility of the parent.

- A minor between the ages of 6 and 18 is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence 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 is:

- placed in a foster home or licensed children's institution with the boundaries of the school district pursuant to Welfare and Institutions Code.
- a foster child who remains in his or her school of origin, an emancipated pupil, a pupil who lives in the home of a care giving adult, or a pupil residing in a state hospital located within the boundaries of the school district.
- a pupil whose parent or legal guardian resides outside of the boundaries of that school district, but is employed and lives with the pupil at the place of his or her employment within the boundaries of the school district for a minimum of 3 days during the school week.

The above summary of the attendance alternatives to parents/guardians and their children is intended to provide an overview of the laws applying to each alternative. For additional information about these options or for application and procedures, contact the office of Student Services at 562-801-5128

Early Release of Students

If you need to take your child out of school before the end of the school day, please call or go directly to the office. ***Parents requesting an early release must provide a note to the attendance office by 8:00a.m., emergency release of students will be allowed on a case-by-case basis.***

All early release students must have a signed note or be signed out by a parent/guardian. This procedure is for the safety of your child. The school will not release a student to anyone except the parent or authorized person on the emergency card.

DISCIPLINE

Student Behavior

These guidelines are suggested in the best interest of the student and the school, respecting the necessity for the administrators to exercise professional judgment.

District Rules on Behavior and Discipline

- All students shall attend school punctually and regularly. They will comply with school and district rules; obey the reasonable directions and demands of the principal, teacher, and others in authority, be diligent in study and kind and courteous to schoolmates.
- All students must maintain good personal health and safety standards in dress and must not dress in a manner that will disrupt the educational program or other school activities.
- The parent/guardian of any minor whose willful misconduct results in injury or death to any student or any person employed by or performing volunteer services for a school district or who willfully cuts, defaces or otherwise injures in any way any property, real or personal, belonging to a school district shall be liable for all such damages so caused by the minor.
- No person shall drive a vehicle or accompany an animal nor shall any person stop, park, or leave a vehicle or an animal on the driveways, paths, or the grounds of any of the schools of the district.
- All campuses of the ERUSD shall be designated "closed." Pupils may be permitted to leave school grounds during their lunch hour with the approval of the principal. Neither the district, nor any officer or employee of the district shall be liable for the conduct nor safety of any pupil during such time as the pupil has left the school grounds during their lunch hour.
- A suspended student may not loiter on or near any public school of the district, or be present at any school activity during the period of suspension.
- Pupils may be detained in school for disciplinary reasons for not more than one hour after the close of their school day, providing the pupil and his/her parent/guardian are notified at least 24 hours before the detention period. The 24-hour notification is not necessary if the parent/guardian waives it.
- Corporal punishment shall not be administered in the El Rancho Unified School District.

Grounds for Suspension/Expulsion

It should be noted that a student may be suspended or expelled for acts (1) while on school grounds in this school district or any other school district; (2) while going to or coming from school; (3) during the lunch period, whether on or off the campus; (4) during, or while going to or coming from, a school-sponsored activity. Students may be subject to disciplinary action if found in violation of California Education Code 48900.

a.1 – Caused, attempted to cause, or threatened to cause physical injury to another person.

a.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.

C – Unlawfully possessed, used, or otherwise furnished, or been under the influence of any controlled substance.

D – Unlawfully offered or arranged or negotiated to sell any controlled substance listed in Chapt. 2 of Div. 10 of the Health and Safety Code, an alcoholic beverage or intoxicant of any kind.

E – Committed or attempted to commit robbery or extortion.

F – Caused or attempted to cause damage to school property or private property.

G – Stole or attempted to steal school property or private property.

H – Possessed or used tobacco, or any products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel.

I – Committed an obscene act or engaged in habitual profanity or vulgarity.

J – Had unlawful possession of, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia as identified in Section 11014.5 of the health and safety code.

K – Disruption of school activities or otherwise willfully defied the valid authority of supervisors, teachers, or administrators. "Disruption of school activities" includes, but is not limited to the following:

1. Gambling
2. Possession, furnishing, sale or attempted sale of the following:
 - Gambling paraphernalia
 - "look-alikes" or other dangerous objects, i.e., toy gun, rubber knife, etc.
3. Unauthorized entry on school grounds or into a classroom.
4. Promoting and/or encouraging gang related activities while at school or at school activities.
5. Serious violations of the school rules.

L – Knowingly received stolen school property or private property.

M – Possessed an imitation firearm as used in this section "imitation firearms" 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 a sexual assault or sexual battery as defined by Penal Code.

O – Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

P – Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

Q – Engaged in, or attempted to engage in hazing.

R – Engage in an act of bullying*, including, but not limited to, bullying committed by means of an electronic act.

*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, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A)Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property. (B)Causing a reasonable pupil to experience substantial interference with his or her

academic performance. (D)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.

Electronic act means the creation or 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, or pager, of a communication, including, but not limited to any of the following:

- i. A message, text, sound, video or image.
- ii. A post on a social network Internet Web site, including but not limited to
 - (I)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 (1).
 - (II)Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose 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.
 - (III)Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "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.
- (iii) An act of cyber sexual bullying.
 - (1) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (II) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- (B) Notwithstanding paragraph (1) 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.
- (3) "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 may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

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

T - A pupil who aids or abets as defined in Section 31 of Penal Code, the infliction, or attempted infliction of physical injury to another person may be subject to suspension.

U – 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 or principal 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.

E.C. 48915(c):

Students found in violation of California Education 48915 shall immediately be suspended and recommend for expulsion.

1. Possession, as verified by a district employee, or selling or otherwise furnishing a firearm.
2. Brandishing a knife, as defined by E.C. 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit sexual assault as defined in subdivision (n) of section 48900
5. Possession of an explosive as defined in 18 USSC 921

Civility

Any person who willfully disturbs a public school or a public school meeting is guilty of a misdemeanor, and may be punished by a fine of not more than \$500. (Education Code 32210)

Dangerous drugs and/or Narcotics abuse

Every effort shall be made to inform and instruct students at the appropriate grade levels about the dangers and implications of drugs and narcotics usage. A continuous program of instruction, guidance, and counseling shall be conducted in every school to provide students with preventive, corrective, and rehabilitative measures. Violations involving furnishing, receiving, using or possessing narcotics or dangerous drugs shall be referred for a suspension and/or expulsion. Furnishing is defined as the act of willfully making said substances available, with or without compensation, to any other person or any item represented as a narcotic or dangerous drug.

Defacing or Damaging of School or District Property

Serious acts of vandalism may result in an expulsion referral. Other offenses will result in a parental conference, detention, suspension, and/or arrest. Every effort shall be made by the District to obtain payment for all damages to school property caused by the student. The parent/guardian is responsible for this payment.

Defiance, Disrespect, Disregard of School Regulations

Violations of school regulations may result in a parental conference, detention, possible suspension of one (1) to five (5) days, referral for placement in another school, and/or other disciplinary action.

Dress and Grooming

The responsibility for student dress lies with the parents. Parents and students should adhere to the following guidelines:

- All clothes must be neat, clean, not frayed, in good repair and be an appropriate size. Clothing and jewelry that display alcohol, cigarettes, controlled substance, violence, or inappropriate words or pictures are not permitted.
- Hair must be neat and clean.
- Footwear must be worn at all times. Thong sandals without heel straps are not acceptable.

- “Tank shirts” are not permitted. “Low cut and “see through” shirts/blouses are prohibited.
- Girls may not wear sheer blouses, bare midriff, strapless, spaghetti straps, halter-tops, or skintight (spandex) bicycle pants/shorts. Shorts and skirts, which are shorter than mid-thigh, may not be worn.
- Undergarments shall be worn and must not be visible at any time.
- The Principal/Superintendent may, if disruptive, prohibit insignias of off campus clubs, sports, and other organizations (Parents and students are to be notified in writing, at least 10 days prior to the prohibition).
- Hairnets, caps, bandanas, sweatbands, and hats are prohibited at school for grades K through 12 including continuation school. Exceptions may be granted for medical reasons. Athletes and ROTC in full uniform are exceptions.
- Large or dangling earrings for pierced ears are not permitted for safety reasons.
- Makeup may not be worn in grades K-5. Exceptions may be made for authorized school activities.
- Gang related apparel: Education Code 35183 states, a district wide prohibition on gang apparel is not allowed, but individual schools shall adopt prohibitions on gang-related apparel in school safety plans and must be reviewed each semester. Parents/guardians and pupils will receive a copy of their school’s gang related apparel policy annually.
- Sun-Protective Clothing. Each school site shall allow for outdoor use during the school day, articles of protective clothing, including but not limited to hats.
- Students are allowed the use of sunscreen during the school day without a physician’s note or prescription.

(Standard Policy 5132 – Pupils, Dress, and Grooming)

Mandatory Uniform Code

All elementary and middle schools in the El Rancho Unified School District shall implement, the mandatory uniform policy beginning October 25, 1996.

ERUSD colors are navy-blue or navy plaid and white – with solid navy-blue or navy-plaid bottoms and white tops.

Girls’ Separates: white blouse or polo shirt and navy sweater, vest, long pants, shorts, skort, jumper, and skirt.

Boys’ Separates: white dress shirt or polo and navy sweater, long pants, and shorts.

New enrollees will be given two weeks after arrival to obtain uniforms or sign the necessary waiver.

No student will be considered non-compliant with the policy in the following instances:

1. when noncompliance derives from a financial hardship;
2. when a student wears a button, armband or other accouterment to exercise the right to freedom of expression; unless it signifies or is related to gangs, gang membership, or gang activity;
3. when a student wears the uniform of a nationally recognized youth organization, such as Boy Scouts or Girl Scouts on regular meeting days;

4. when a student wears a school-adopted logo shirt on designated days;
5. When a student's parent or guardian has secured an exemption from the uniform policy. Parent may contact their home school for exemption information.

Laser Pointers and Signaling Devices

Use or possession of any signaling device with the potential to cause physical harm such as a laser pointer may result in a parent conference, detention, suspension, fine, and/or community service.

Electronic Listening or Recording Devices

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action.

Mobile Phones, Pagers, and Personal Electronic Devices

Students may have a cellular, digital, or mobile phone in their possession under the following conditions:

- **The cell phone/pager must be turned off and may not be used during school hours, and any other time directed by a school administrator (including recess, nutrition, lunch, and passing periods).**
- Cell phone and/or pager vibrating will not be permitted.
- Cell phones and/or pagers must be placed inside the student's personal belongings (backpack/purse) and not visible at any time unless otherwise permitted.
- A cell phone and/or pager may be used in the event of a school-related emergency as determined by the Principal or Principal's Designee.

The use of these devices or their ringing/vibrating during school time or activities without consent of the school administrator or teacher will be considered a disruption to school activities and subject to disciplinary action.

The Board and/or District does not assume liability if such devices are damaged, lost or stolen. Inclusively, the Board, School District, and/or School Site will not assume responsibility and/or investigate the loss or theft of such devices if lost or stolen.

Possession of other "Personal Electronic and/or Signaling Devices;" including, but not limited to IPOD, MP3/4 players, CD Players, Cameras, Video Cameras, Electronic Games, Audio Recording devices will not be permitted.

Students who violate the cell phone and personal electronic signaling devices policy will be subject to discipline, including but not limited to confiscation of the device, detention, Saturday School, suspension, expulsion, or transfer to an alternative program in accordance with Board policy and administrative regulations. **The school site will designate a day of the week and time when cell phones/pagers will be returned to parents/guardians.**

Required Parent Attendance

Parents may be required to attend a portion of the school day with their student when the student has been suspended by the teacher for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or willfully defying authority. (Education Code 48900.1)

Sexual Harassment

Sexual harassment of or by any student is prohibited. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other, verbal, or physical conduct of a sexual nature made by someone under any of the conditions delineated in Education Code 212.5. Sexual harassment will result in appropriate disciplinary action, which may include suspension and/or expulsion. Sexual harassment should be reported immediately. The District does not tolerate harassment of any type and will take appropriate action to protect individuals or groups reporting sexual harassment. (Board Policy/Administrative Regulation 1110)

Tardiness

Tardiness to class is basically a discipline problem rather than an attendance problem. It is harmful to the student and disrupts the proper educational environment. Detention is the recommended discipline to be used in cases of tardiness. Students may be detained in school for disciplinary or other reasons for not more than one hour after the close of the school day or four hours on Saturday after 24 hours notice has been given. Parents shall be contacted regarding cases where students have a continuing problem of tardiness. Parents and school personnel should work together with the student to see that the problem is solved.

Theft

Theft or knowingly receiving stolen school or private property may result in a parent conference, possible suspension of one (1) to five (5) days, and possible referral to another school, possible expulsion. Students will be responsible for payment for all lost or damaged school property and may be subject to possible arrests as provided by law.

Threats and/or Physical Abuse

Any student who willfully physically attacks any District employee or student shall be referred for expulsion. Any student, who threatens, harasses, or verbally abuses any District employee or student shall be subject to disciplinary measures, which may include suspension and/or expulsion and/or possible referral to another school placement/program. The student may also be subject to arrest and prosecution. Students who aid or abet in the injury or attempted injury of another student may be suspended.

Tobacco

Tobacco use is prohibited on all District property.

Students found to be in possession of tobacco or tobacco paraphernalia or using tobacco may be suspended for (1) to (5) days or referred for assistance to a tobacco cessation program.

HEALTH

Medication Regimen:

Parent/Legal Guardian of any student taking medication on a regular basis must inform the school nurse or health clerk of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil. (Education Code 49480)

Medication

Administration of any prescribed medication or any over the counter medication (such as Tylenol, cough syrup, eye drops, cough drops) needed by a child during the school day may be done by a designated school employee only after receiving written detailed instructions from the physician and a written parental request. This request must be made each school year. (Education Code Sections 49423 and 49480)

Students with asthma may carry and self-administer inhaled asthma medication if the school has written permission from their health care provider and parent/guardian. (Education Code Section 49423 and 49423.1)

Students with extreme life threatening allergic reactions may carry and self-administer prescription auto-injectable epinephrine if the school has written permission from their health care provider and parent/guardian. (Education Code Section 49423 and 49423.1)

Please pick up authorization forms for medication administration/self administration in your school office.

School nurses and trained personnel are required to provide emergency epinephrine auto-injectors in emergency medical situations to aid students suffering or reasonably believed to be suffering from a life-threatening severe allergic reaction (anaphylaxis). (Education Code Section 49414)

Health Screening

California Education Code, Section 49452.5, requires that all female students in grade 7 and all male students in grade 8 be given a scoliosis screening unless a parent or guardian refuses the screening. A scoliosis-screening program to detect possible spinal problems in children will be conducted in all middle schools and possibly re-checked in high school.

The procedure for the screening is a simple one in which a trained examiner inspects the child's posture as he or she stands and bends forward. If a spinal problem is suspected, you will be notified by letter. If your child is currently under active treatment for a spinal problem, please notify the school.

In addition, vision and hearing screenings are conducted in grades K, 2, 5, and 8.

Hearing is screened in grade 10 for students who are at risk or potential hearing loss (e.g., band members, or students who are exposed to loud noise).

If you do not want your child to be included in a screening, please notify the school in writing.

Oral Health Assessment

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31st of the pupil's first school year.

Immunizations

Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

Beginning January 1, 2016, parents of students in any school will no longer be allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the next grade span at kindergarten (including transitional kindergarten) or 7th grade.

State law requires the following immunizations before a child may attend school:

- All new students, age 7-17 years old, to the El Rancho Unified School district must provide proof of polio, diphtheria, pertussis, tetanus, measles, mumps, rubella, and varicella immunizations.
- All transitional kindergarten/kindergarten students, age 4-6 years old, must also provide proof of vaccination against hepatitis B.
- All seventh grade students must also provide proof of a second measles-containing vaccine, and a pertussis booster vaccine.

A student not fully immunized may be temporarily excluded from school when that child has been exposed to a specific disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above.

Physical Examinations

Physical examinations are required as recommended by California Education Code for students entering 1st grade and students involved in extracurricular activities. If you require further information as it pertains to physical examinations, you may contact the school health office.

A student may be sent home if, for good reason, he/she is believed to be suffering from a recognized contagious or infectious disease. (Education Code Sections 48213 and 49451)

Health Insurance

The District does not carry medical or dental insurance for your child. If you do not have private insurance and would like further information regarding insurance coverage, you may contact your school health office or the Department of Student Services at 562-801-5128.

Pupil Injuries

The District does not provide fees for medical and hospital services for pupils injured at school or at school-sponsored events or while being transported, but students may be insured at parent expense. (Education Code Section 49471).

Concussion and Head Injuries

All athletes and the athlete's parent or guardian must sign on a yearly basis a concussion and head injury information sheet before the athlete's initial practice or competition. These provisions would not apply to an athlete engaged in an athletic activity during the regular school day or as part of a physical education course. Please see the coach or district nurse for a copy of the information sheet.

Confidential Medical Services

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 guardian. (Education Code 46010.1)

STUDENT RECORDS

The California Code of Regulations requires schools maintain a permanent record for each pupil, which shall include a record of enrollment and grades. The results of State and District required achievement and scholastic aptitude test are recorded on or in the cumulative record. This information is used to plan an educational program for each child. If students are placed in special programs to provide better learning opportunities, special records as recommended are maintained in order to judge the need for such programs, recommended the best kind of instruction, and evaluate the progress made. If students have difficulty in learning, records diagnosing the problem with suggestions of correction are maintained. In addition, records of health, conduct, special activities, career interests, aptitudes, and attendance are maintained.

According to law, School officials responsible for planning and providing an educational program for students have full access to student records. Full access to student records is also granted to (1) parents of pupils age 17 and younger, (2) parents of pupils 18 and older if the pupil is a dependent for tax purposes, (3) pupils age 16 and older, or pupils who are enrolled in an institution of post secondary instruction (called "eligible pupils")

Access to pupil records will be allowed for law enforcement officials if investigating a kidnapping of a child. (EC 49073)

No non-educational organizations or individuals are given information regarding a student without written parent consent, with the exception of directory information.

When a student enrolls in a school outside of the District, the cumulative record, upon request, shall be transferred to the school district to which the student transferred.

Present cost to copy school records is twenty-five cents a page in excess of two copies in accordance with the Education Code. Parents have the right to ask the principal for an explanation/interpretation of records. If parents so desire, they should make an appointment with the principal for this purpose. In addition to the principal, the Director of Student Services and Coordinator of Child Welfare and Attendance, are responsible for student records.

Directory information

The District makes pupil directory information available in accordance with state and federal law. This means that each pupil's name, birthdates, birthplace, address, telephone number, email, major cause of study, participation in school activities, dates of attendance, grades, awards, and previous school attendance may be released to specified agencies. In addition, height and weight of athletes will be made available. Appropriate directory information may be provided to any agency or person except private, profit-making organizations other than employers, potential employers, or news media. Names and addresses of seniors or terminating pupils may be given to public or private schools and colleges.

Upon written request from the parent/guardian of a pupil age 17 or younger, the district will withhold directory information about the pupil. If the pupil is 18 or older or enrolled in post-secondary instruction, he/she may submit in writing a request to deny access to directory information.

If you do not wish directory information released, please notify the school office or mark the appropriate box on the District Registration Form. Note that this will prohibit the district from providing the pupil's name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

Directory information regarding a pupil identified as a homeless child or youth shall not be released unless a parent, or pupil given parental rights, has provided written consent that directory information may be released

Maintenance/Destruction of School Records

Certain school records are permanently maintained by the school district. These records consist of enrollment information, grades, attendance, immunization, and graduation status. Other school records are optional and maintained until their usefulness ceases. At minimum they are maintained for three years. The District will maintain the records of Special Education students as required by the State of California. Personally identifiable records that are no longer needed to provide educational services will be destroyed in a method that shall assure that the records are not available to possible public inspection in the process of destruction.

Medi-Cal Billing

The District participates in the Local Educational Agency (LEA) billing program, which allows us to bill Medi-Cal for assessments and services provided by the school psychologists, nurses, and speech teachers during the school day. Bills are submitted for enrolled students to Medi-Cal.

Review of Pupil Records

Parents, guardians, and students (16 years of age or older or who have completed Grade 10) may inspect and review all official records upon request and have the right to challenge the content if it is considered to be inaccurate, misleading, or an inappropriate personal conclusion or inference, outside the observer's area of competence and not based on personal observation. If there is mutual agreement that the record should be changed, an opportunity will be provided for correction or deletion by the principal of the school. In case of disagreement the parent has the right to ask for the records in written request to the Director of Student Services.

Transcript requests

District high schools will provide grade transcripts. The first two transcripts are free with any additional requests to be charged a fee of \$5.00 charge.

ACADEMICS

Each school must annually compile a prospectus of the curriculum including titles, descriptions, and instructional goals for every course offered by the school. Please contact the school office for a copy of the prospectus.

Animal Dissection

If any course utilizes dissection or otherwise harms or destroys animals or parts of animals, the parent/guardian of any pupil may request in writing that the child not participate in the education project. (Education Code 32255)

The teacher may work with the pupil to develop and agree upon an alternative education project to enable the pupil to obtain the knowledge, information, or experience required by the course of study in question.

Family Life Education

The curriculum in grade 5 through 12 in science, physical education, and health education courses may include a study of the functions and processes of the human reproductive system.

The District shall ensure that all pupils in grades 7 to 12, inclusive, receive HIV/AIDS prevention education from instructors trained in the appropriate courses. Each pupil shall receive this instruction at least once in middle school and at least once in high school.

In accordance with the provisions of California law, an opportunity is provided for you to request in writing that your son or daughter not be present in the classroom when this instruction is offered. If the principal does not receive such a request from you, your child will be present in the classroom during this instruction. Students who are to be excused from this class session will be given supervised instruction in another classroom during this time.

Sex education courses or family life education are courses in which reproductive organs and their functions are described, illustrated, or discussed. When such classes are planned, you will be notified of your rights to inspect and review pertinent written or audiovisual materials prior to the holding of the course. (Written consent is not required but written objection shall be honored for your child.) This section does not apply to words or pictures in any science, hygiene, or health textbook. (Education Code Section 51550)

Sexually transmitted disease education including AIDS instruction is a part of the course of study. Parents have the right to request in writing that the child be excused from that instruction or to request copies of the Education Code sections related to AIDS prevention instruction.

If any part of a class in health/science, family life education, or sex education is against the religious training and beliefs or personal moral convictions of the parent or guardian may have the child excused from taking that part of the class by sending a written request to the school. (Education Code section 51240)

Family School Partnerships Act

The Family-School Partnership act is part of California Labor Code Section 230.8 which is a law that allows parents, grandparents, and guardians who work for a business that has 25 or more employees at the same location to take off up to 40 hours each year to participate in their children's school or child care activities. Under the law, any activity that is sponsored, supervised, or approved by the school, school board, or childcare facility is acceptable. Check with your employer for specific guidelines.

Graduation Requirement

High school graduation ceremonies shall be held to recognize those students who have successfully completed the required course of study, satisfying district standards, and passing any required assessments. In order to encourage high standards of conduct

and behavior, the principal may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. Prior to denial of the privilege(s), the student, and where practicable his/her parent guardian, shall be made aware of the grounds for such denial and shall be given an opportunity to respond to the proposed denial. If privilege(s) are to be denied, the student and parent/guardian shall receive written notice of the denied privilege and the means whereby he/she may appeal this decision. Grade 12 students must have completed 220 credits, passed all required courses, and passed all proficiency tests prior to the date of graduation in order to participate in the commencement ceremony.

Home-Hospital Instruction

Individualized instruction is available for hospital-bound pupils who were enrolled in regular day classes or an alternative program. It is the parent's responsibility to request such instruction for the qualifying hospital and the district in which it is located. (Education Code Sections 48207 & 48208)

A pupil with a temporary disability is eligible to receive some type of home or hospital instruction. Parents should contact the School Administrator or School Counselor or contact the Coordinator, Child Welfare, and Attendance for information. (Education Code Section 48206.3)

School Accountability Report Cards (SARC)

Parents may review pertinent school information and testing data by going to the El Rancho Unified School District website www.erusd.org. At the website, you may click on schools and select a school. Once in the school's webpage, you may click on "about us" and click on SARC (School Accountability Report Card). You may view or download the information. Copies are available at each school site and will be provided upon request (Education Code Section 33126)

Special Education Services

The District provides at no cost to parents educational opportunities and services to children ages 0-22 that meet certain eligibility criteria as a disabled person.

Children are referred to special education programs by contacting the home school principal or the Special Education office, at

(562)801-4810. (Education Code section 56301)

The El Rancho Unified School District is a member district of the Whittier Area Cooperative Special Education Program (WACSEP) Special Educational Local Plan Area (SELPA). If you would like further information regarding the Child Find System, you may contact them at (562) 945-6431.

Safe Schools/Healthy Students (SS/HS)

It is the Governing Boards desire to maintain programs and services as they pertain to safe school environments and healthy students. The goal of the SS/HS Initiative is to establish safe environments by reducing youth violence, promote positive decisions and healthy lifestyles, and maintain positive physical and mental health. These areas are addressed through evidence based curriculum, school/district programs/ services, and community resources.

Promotion /Retention Policy

El Rancho Unified School District has a Promotion/Retention Policy as mandated by state legislation (AB 1626/AB1639). The intent of the legislation is to ensure that students meet grade-level standards before being promoted

Students in grades kindergarten through eight must progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement. The El Rancho Unified School District will use multiple measures to assess each student's proficiency in reading, written language, mathematics, and in some grade levels, science, and social studies. These measures will determine whether a student is making appropriate progress for his/her grade level.

Students, who do not demonstrate satisfactory progress toward attaining grade-level content and performance standards and are "at-risk" of retention, will be referred to a "Student Success Team" to provide assistance to those students who are at "risk" of being retained or is a "candidate for retention".

Parents will be notified as early in the school year as possible if retention is an issue for their child.

Students between Grades 2-3 and 3-4

Students between grades 2-3 and 3-4 shall be identified primarily on the basis of their level of proficiency in reading.

Students between Grades 4-5 and between middle school grades and high school.

Students between grades 4-5 and between middle and high school shall be identified primarily on the basis of reading proficiency, English language arts and mathematics.

Questions and Answers

Do the same standards apply for English Learners?

No. Students who are English Learners (EL) will be exempt until they have met two reclassification criteria.

What about special education students?

Special education students will be promoted or retained on the basis of their progress and performance related

to their Individualized Education Plans (IEPs).

What if I become unable to follow the activity plan to help my child improve?

Ensuring that a student has every opportunity to meet grade-level standards is the

responsibility of both school personnel and parents. It is the parent's responsibility to find a way to participate in the necessary remediation offerings.

What if I do not agree that my child should be retained?

Parent(s)/guardian(s) who disagree with a decision to retain their children can appeal the decision. A written request listing the reason(s) why the teacher's decision should be overruled must be submitted to the Director of Student Services, within ten school days of being notified of the retention. The decision of the Director of Student Services is final.

Use of Electronic Resources

Before using the District's on-line resources, each student and their parent/guardian shall acknowledge receipt of the Acceptable Use Agreement. This document sets forth the rights and responsibilities for all users of the El Rancho Unified School District's electronic resources. Prior to using the District network or any District electronic resources, students will participate in an orientation of the proper use of the network and electronic resources.

Educational Purpose

The District Internet System has been established for a limited educational purpose. The term "educational purpose" includes classroom activities, continuing education, professional or career development and high quality, educational enriching research.

The District Internet system has not been established as a public access service or a public forum. The District has the right to place restrictions on the material accessed or posted through the system. Pursuant to the Children's Internet Protection Act, the District has taken reasonable precautions to restrict access to harmful matter and materials that do not support approved educational objectives by installing a technology protection measure to protect access to inappropriate material. You are also expected to follow the rules set forth in this policy, the student disciplinary policy and regulations, and federal state and local laws in your use of the District Internet system.

While the District will make every attempt to provide uninterrupted service, the District will not guarantee that the functions or services provided through the District Internet service will be without error. The District will not be responsible for any damage suffered, including, but not limited to, loss of data, interruptions of service, or exposure to inappropriate material or people. The District is not responsible for the accuracy or quality of the information obtained through the system. The District will not be responsible for financial obligations arising through the unauthorized use of the system. Parents can be held financially responsible for any harm that may result from a student's intentional misuse of the system. Students may only use the system if they and their

Parent/guardian has signed the District Acceptable Use Agreement for Electronic Resources. Use of the District's network implies understanding and agreement with all statements, standards, and rules.

OTHER SERVICES

Education of Children and Youth in Homeless and/or Foster Situations

El Rancho Unified School District has resources available to assist homeless youth, unattended youth, and foster youth in a manner consistent with the McKinney-Vento Act and State Laws. Identified homeless, unattended, and foster students shall have access to all the educational and supplemental services needed, including, but not limited to before and afterschool programs. Homeless and Foster youth have a right to receive priority enrollment. If you would like additional information regarding services please contact school office personnel, the site principal, and/or the District's Homeless and Foster Youth Liaison at the Office of Student Services, (562) 801-5128.

Megan's Law

Megan's Law website is available to parents. The website has information about convicted sex offenders, including their home addresses.
(www.meganslaw.ca.gov)

Sex Equity: Title IX

Title IX is a federal law that was passed in 1972 to ensure that male and female students and employees in educational settings are treated equally and fairly. It protects against discrimination based on sex, including sexual harassment, and transgender students or students who do not conform to sex stereotypes. State law also prohibits discrimination based on gender (sex), gender expression, gender identity, and sexual orientation. Title IX coordinator for the El Rancho Unified School District is the Director of Student Services and may be reached at 562-801-5128. You may file a Title IX complaint by contacting the Director of Student Services.

Nutrition Services

Free or reduced-price lunches are available at school for pupils whose parents or legal guardians qualify, based on annual household income, and complete the required application form.

All students must apply or re-apply each year to qualify for the free or reduced-price breakfast/lunch program. If you did not receive a meal application in a summer mailing, you can pick one up at any school or request one by calling the Food Services office at (562) 801-5272.

1. Students who are in paid status and forget or lose their meal money will be allowed to charge a regular school meal one time. If the student does not bring money or makes a partial payment the next day or the following day, they will be served a lunch that includes a cheese sandwich, vegetable, fruit, and milk. On the fourth day, no lunch will be provided for the student. To try to recover this money a letter will be completed by the cafeteria staff stating the amount the student owes after the second meal is charged. This will be given to the office

- and sent home to the parent/guardian.
2. Free and reduced price students must be provided with a meal at all times. If they have lost their lunch money or cannot remember their lunch number, they will be looked up on an eligibility list or the PCS system. So as not to stop the line, these students will be asked to step aside until there is a break and their status will be verified. Regulations require that the reduced price student receive a meal even if they do not have money. To try to recover these funds a form letter will be completed by the cafeteria staff and given to the office to send home. The paid price procedure is the same for the reduced price student with the exception that the cheese sandwich, vegetable, and fruit of the day and milk will continue indefinitely. The parent or guardian will continue to be charged for these meals at reduced lunch prices.
 3. New students are in a paid status until a meal application is processed by Food Services and eligibility determined. Upon enrollment the parent should be instructed to send money or a sack lunch with their student until their application has been processed. The application will be processed within 10 business days upon receipt by the Food Services Department.

New students who arrive the first day without a sack lunch or money will be provided with a meal. The cafeteria manager should be notified that this is a first day, new student. If the student arrives the second day without money or a lunch, the paid policy will be followed.

It is our challenge to feed students and maintain financial accountability. **There will be a \$25.00 fee for any returned check and further checks will not be accepted for the student.** If further information is required, you may reach the Department of Food Services at (562)801-5272.

Elementary Breakfast	\$1.00
Middle Breakfast	\$1.25
High School Breakfast	\$1.25
Free	No Charge
Reduced	.30 cents
Elementary Lunch	\$1.75
Middle Lunch	\$2.25
High School Lunch	\$2.50
Free	No Charge
Reduced	.40 cents

AREAS OF RESPONSIBILITY

Superintendent of Schools

The Superintendent shall exercise leadership in establishing procedures to carry out the policies of the Board of Education. The Superintendent shall encourage a program of continuous study and evaluation of student behavior. The Superintendent shall hold all school personnel, students, and parents responsible for supporting the policies of the Board of Education and the administrative regulations relating to the conduct of the students. The Superintendent shall support all school personnel acting within the framework of District policies.

Principals

All school principals shall be responsible to the Superintendent for student control in their schools and for all personnel within their jurisdiction. They shall have the responsibility and authority to carry out District policies and regulations. The principal shall have the responsibility for informing staff members, students, and their parents of regulations concerning all aspects of the school program relating to student behavior. The principal shall have the use of all available specialized services of the District.

Teachers

Teachers shall be responsible to the principal for the effective control of all students under their immediate supervision and for other students who are so situated as to be physically subject to their control. Teachers shall enforce the rules and regulations of the schools and shall support their principals in enforcing District policies. They shall consult with the principal concerning all serious or willful acts of misconduct by students and other persons. Teachers have freedom to use a variety of procedures in the discipline of students, Such as:

- Requiring attendance at detention
- Giving special assignments relative to educational deficiencies of the students.
- Withholding privileges.
- Sending students to the principal or delegated authority.
- Lowering of citizenship marks.
- Suspending students from class in accordance with the District policies.

Parents

Parents or guardians shall be held responsible for the willful misbehavior of their children as provided in the Education Code. Parents and guardians are expected to cooperate fully with the school authorities, including the participation in conferences regarding the progress, adjustment, and behavior of their children when these are deemed necessary.

Parents shall be held financially responsible for school property lost, damaged, or destroyed by their children.

All students shall comply with the regulations, pursue the required course of study, and submit to the authority of the teachers and staff of the school. They shall also be expected to conform to the laws of the community, state, and nation. They shall be encouraged through student government and other types of student activities appropriate to their levels of maturity to assume responsibility for controlling their own conduct (self-discipline).

STATE AND FEDERAL REQUIREMENTS

Non-Discrimination

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. It shall be the policy of the Board of Education not to discriminate against anyone based on a disability, gender, nationality, race or ethnicity, religion, sexual orientation, gender identity, gender expression, or any other characteristic contained in the definition of hate crimes that is contained in the Penal Code. Inquiries concerning this subject should be directed to the Office of Human Resources at (562) 801-5216.

(Senate Bill 777) (P.C. Section 422.55, E.C. Section 200)

A pupil shall be permitted to participate in sex-segregated school programs and activities and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil's records.

The District has policies and procedures for complaints related to discrimination, harassment, intimidation and bullying (including sexual harassment), categorical program requirements, and alleged violations of federal or state statutes. Complaints may be filed under the Uniform Complaint Procedures as delineated in this Information Handbook or by contacting the Office of Human Resources at (562) 801-5216.

Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age certain rights with respect to the student's education records. These rights are:

- The right to inspect and review the student's education records within 45 days of the day the school receives a request for access.
- Parents or eligible students should submit a request to the principal that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate.
- Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the principal and clearly identify the part of the record they want changed, and specify why it is inaccurate. 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 their rights.

- The right to consent to disclosures of personally identifiable information contained in the students educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person or company with whom the school has contacted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her task.
- 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.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the administration office is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

Protection of Pupils Rights Amendment

The protection of Pupil Rights Amendment (PPRA) requires the El Rancho Unified School District to notify you and obtain consent or allow you to opt your child out of the participation in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys") (Education Code 51513):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parent; or
8. Income, other than as required by law to determine program eligibility.

The El Rancho Unified School District will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt their child out, as well as an opportunity to review the surveys (Education Code 51513):

Teacher/Para-Professional Qualifications

Parents may request information regarding the professional qualifications of their child's teacher including, whether the teacher has met state credential or license criteria for grade level and subject matter taught; whether the teacher is teaching under emergency or other provisional status; the baccalaureate degree major the teacher and any other graduate certification or degree held; whether the child is provided services by paraprofessionals, and if so, their qualifications. Parents must also be notified if their child is taught by a teacher that is not highly qualified for 4 consecutive weeks.

UNIFORM COMPLAINT PROCEDURES

The El Rancho Unified School District's Uniform Complaint Procedure is intended to provide an orderly process to be used by parents, employees, District or school committees/ councils, students, other interested parties and the District when addressing complaints alleging:

1. Failure to comply with state and /or federal laws education, child nutrition programs consolidated categorical aid programs, English learners, special education, and career-technical education.
2. Unlawful discrimination and harassment based on sex, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, intimidation or bullying.

The District is primarily responsible for compliance with federal and state laws and regulations.

Procedure for Filing a Complaint

1. The complainant shall first attempt to resolve the complaint with the site or program administrator.
2. If a resolution cannot be reached, the complainant shall file a complaint following Uniform Complaint Procedures. Copies of the Uniform Complaint Procedures are available from the office of Human Resources.
3. A complaint is a written and signed statement alleging a violation of a federal or state law/regulation or an allegation of unlawful discrimination or harassment regarding actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability and age.
4. The complaint must be filed with the Director of Human Resources, (562) 801-5216.
5. If a complainant is unable to put a complaint in writing because of a disability or language problem, District staff will assist in preparing the complaint.
6. All complaints regarding unlawful discrimination must be filed within six months of the alleged occurrence or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination.
7. The complainant shall be advised of the right to pursue civil law remedies under state or federal discrimination laws.

Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's time lines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Refusal by the district to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise refuse or fail to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Response

Within 60 days of receiving the complaint, unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

Written Report/Decision

1. The report shall be written in English and the primary language of the complainant as required by Education Code 48985.
2. Findings and disposition of the complaint.
3. Conclusion of law.
4. Rationale for disposition.
5. Corrective actions (if any).
6. Notice of complainant's right of appeal to the California Department of Education (CDE) within 15 days.

7. In a discrimination complaint, notice of the right to civil law remedies no sooner than 60 days after filing an appeal with the CDE.

Appeals

The complainant may appeal in writing to the California Department of Education (CDE) within 15 days of receiving the decision. When appealing to the CDE, the complainant must specify the reason(s) for appealing the district's decision and must include a copy of the locally filed complaint and the District decision.

WILLIAMS SETTLEMENT – COMPLAINT PROCESS

The district has posted the following notice in every classroom as required by Education Code 35186.

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have textbook or instructional materials, or both, to use in class to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments.
4. To file a complaint regarding the above matters, complaint forms can be obtained at from the school site Principal or downloaded at the district website www.erusd.org.

ASBESTOS - MANAGEMENT

Information on the District's complete and updated management plan for asbestos-containing materials in school buildings is available from the Director of Maintenance.

Pesticide Products

The Healthy Schools Act of 2000 requires all California school districts to notify parents and guardians of pesticides they expect to apply during the year. We expect to use the following pesticides in your school during the upcoming year. Chemicals used at school sites are listed.

Reason	Brand Name	ACTIVE INGREDIENT
Ants, Spiders, Roaches, Door yard pests	D-Fenc	Deltamethrin
Ants, Spiders, roaches, Door yard pests	Bifen IT	Bifenthrin
Gophers	Fumitoxin	Aluminum Phosphide
Ants, roaches, Crickets	Nygard	Pyriproxfen
Gophers	Gopher Getter Type II	Dephacionone
Gophers	Gopher Getter Type I	Strychnine
Ants, Roaches, Crickets	Mother Earth Granular Bait	Boric Acid
Ants, Spiders, roaches, Door yard pests	Suspend SC	Deltmethrin
Ants, Termites	Taurus SC	Fipronil
Wasps, Bees	Wasp Freez PT 515	d-Trans allethrin
Anjts, Spiders, Roaches, Door yard pests, Flying Insects	Surekill	Pyrethrums
Fleas, Bedbugs	Allpine Flea PT	Dinotefuran

Revised 6/17



EL RANCHO UNIFIED SCHOOL DISTRICT
Education Services

HOMEWORK POLICY 2017-2018
ELEMENTARY SCHOOLS

DEAR PARENTS:

Well-planned homework assignments which extend classroom activities and are understood by both the teacher and the student can improve the learning process, aid in the mastery of skills, create and stimulate interest and develop independent work study habits.

Homework that is properly designed, carefully planned, and geared to the development of the individual student has a definite place in the educational program. It is assigned to help the student become more self-reliant, learn to work independently, improve the skills that have been taught, complete projects (such as the reading of assigned books), and prepare research papers. Home study assignments also afford a means for parents to acquaint themselves with the school program and their own children's educational progress.

The following Homework Policy is in effect at the elementary school level:

- Homework is not required for students in preschool and kindergarten, but may be given if the assignment is related to oral language development, math skills, hobbies, particular interests, or observation skills.
- Homework assignments are required for students in grades one through five four nights per week, Monday through Thursday.
- In grades one, two, and three, homework will be related to the development of reading skills, spelling, math facts, handwriting, and special interests with a total approximate time length of 30 to 60 minutes.
- In grades four and five, homework will be related to the development of all academic skills with a total approximate time length of 30 to 60 minutes.
- Students shall be required to do make-up homework assignments on weekends if it has not been completed during the regular school week.
- Parents with questions or concerns about assigned homework should contact the teacher and/or principal, if necessary.
- All assigned homework is to be returned to the teacher for diagnostic/prescriptive purposes.
- Examples of each student's homework will be filed in the classroom for review during parent-teacher conferences.

EDUCATIONAL SERVICES

/mb

Reference: ERUSD Board Policy 6154



EL RANCHO UNIFIED SCHOOL DISTRICT
Educational Services

HOMEWORK POLICY 2017-2018
SECONDARY SCHOOLS

DEAR PARENTS:

Well-planned homework assignments which extend classroom activities and are understood by both the teacher and the student can improve the learning process, aid in the mastery of skills, create and stimulate interest and develop independent work study habits.

Homework that is properly designed, carefully planned, and geared to the development of the individual student has a definite place in the educational program. It is assigned to help the student become more self-reliant, learn to work independently, improve the skills that have been taught, complete projects (such as the reading of assigned books), and prepare research papers. Home study assignments also afford a means for parents to acquaint themselves with the school program and their own children's educational progress.

Homework will be assigned to all students in grades 6-12. In the following subject areas, homework will be assigned at the discretion of the teacher on a specific day: visual and performing arts, ROP classes, and physical education. It will be given to develop effective study habits, reinforce basic skills, and strengthen the student's achievement in his/her particular given subject areas. Homework will be a part of the regular daily curriculum and workload for each student. All homework will be graded and returned and will be a part of each student's evaluation and grade.

EDUCATIONAL SERVICES

/mb

Reference: ERUSD Board Policy 6154

El Rancho Unified School District
9333 Loch Lomond Drive
Pico Rivera, CA 90660
(562) 801-5196
www.erusd.org

SCHOOL	LOCATION	TELEPHONE
<u>Elementary Schools</u>		
Birney Tech Academy	8501 Orange Avenue	(562) 801-5153
Durfee	5220 S. Durfee Avenue	(562) 801-5070
Magee Academy of Arts and Sciences	8200 Serapis Avenue	(562) 801-5000
North Ranchito	8837 E. Olympic Boulevard	(562) 801-5031
Rio Vista	8809 Coffman-Pico Road	(562) 801-5049
Rivera	7250 Citronell Street	(562) 801-5095
South Ranchito Dual Language Academy	5241 S. Parsons Boulevard	(562) 801-5177
Valencia Academy of Arts	9241 E. Cosgrove Street	(562) 801-5079
<u>Middle Schools</u>		
STEAM Academy at Burke	8101 Orange Avenue	(562) 801-5059
North Park Academy of the Arts	4450 S. Durfee Avenue	(562) 801-5137
Rivera	7200 Citronell Street	(562) 801-5088
<u>High Schools</u>		
El Rancho	6501 S. Parsons Boulevard	(562) 801-5355
Ellen Ochoa Prep Academy	8110 Paramount Boulevard	(562) 801-5208
Ruben Salazar Continuation School	9115 Balfour Street	(562) 801-5021
<u>Education Center</u>	9515 Haney Street	(562) 801-5009
<u>District Offices:</u>		
Business Services		(562) 801-5294
Categorical Programs		(562) 801-5224
Student Services		(562) 801-5128
Educational Services		(562) 801-5208
Food Services		(562) 801-5272
Human Resources		(562) 801-5216
Special Education		(562) 801-4810
Maintenance		(562) 801-5274
Superintendent		(562) 801-5196

Exhibit T

El Rancho High School

6501 South Parsons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



Memorandum El Rancho High School

Date: 02/18/2011
To: Greg Salcido
From: [REDACTED] Assistant Principal of Guidance
Re: Student removal from class

This memorandum will review the basic discussion that took place between you and I on 10/07/2009 in your classroom regarding students that did not do their assigned work.

As part of the discussion:

- You stated you did not allow the students in class because they were not prepared and stated they were “de facto truant.”
- I expressed understanding in regards for the need of students to come prepared to class, but I also stated it is your *professional responsibility to supervise* those students due to the fact that they are scheduled to be in your class at that time.
- You stated that we should have higher expectations for students and that they should not be allowed to come to class if not prepared. You also mentioned several times the need for revolutionary thought in regards to public education and El Rancho High School.
- I then made several suggestions in regards to better helping these particular students:
 - Use tutorial as the necessary time for these students to complete their work.
 - Hold them after school until 3:30 pm in order for them to complete their work.
 - Schedule time with the librarian, so the students can work in the library.
 - Give the student an “F” on the assignment and focus your efforts towards the students that are coming prepared.
- You philosophically disagreed with these suggestions, and I stated that you were in fact the teacher and they were simply suggestions.
- I then explained again *liability issues* regarding our job as the professionals and proper supervision of minors.
- At this point, you did state you understood the need for proper supervision even though it does go against your personal philosophy. You did state if they are defiantly not doing what is asked of them, then you would write an official referral sending them up to the office, and the grade level dean would possibly take disciplinary action if the student violated any of the acts listed under Ed. Code, section 48900.

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



- You also stated that the next time you assign an essay, you will advise the grade level dean beforehand in case this issue arises again.
- Towards the end of our discussion, you stated that we as a school are forcing you to do something that you do not want to do, but you understand that students need to be supervised at all times and that we as the professional adults must provide that supervision.

EC 48910 - Suspension from class by teacher; reports; parent-teacher conferences.

The student, according to Ed. Code 48910 (a) can only be suspended from class for any of the acts enumerated in section 48900, for the day of the offense and the day following. Ed. Code further explains that if a student is not to be admitted into class, a parent-teacher conference needs to be arranged by the teacher as soon as possible.

A copy of this memo will be placed in your file here at El Rancho after (10) working days. You may submit a response which will be attached to the document.

Thank you,

Assistant Principal of [REDACTED]

Exhibit U

El Rancho High School

6501 South Passons Boulevard
Pico Rivera, California 90660
(562) 801-5355 Fax: (562) 801-5293



March 14, 2011

To: Gregory Salcido

From: [REDACTED] Assistant Principal [REDACTED]

RE: Notice of Unsatisfactory Conduct

On March 14, 2011, [REDACTED], Principal of El Rancho High School, asked [REDACTED], [REDACTED] and [REDACTED] what they were doing walking in the hallway. The three female students replied that "Mr. Salcido would not let them into class because they had not completed their essay." The students explained that they wanted to go to the library to complete the essay, but Mr. Salcido would not write them a pass. [REDACTED] directed the girls to the guidance where they were asked to write witness statements as to what had occurred.

Under the California Standards for the Teaching Profession, it is your professional responsibility to supervise the students that are scheduled in your class during each period.

By not permitting students to enter into your classroom, your conduct creates an unsafe environment because students are left unsupervised and you can be held liable.

On October 07, 2009 we had a discussion in your classroom regarding this issue and you stated that you understood the need for proper supervision. In February of 2011, you were given a memo reminding you of the need for proper supervision.

Effective immediately, you are directed to allow all students into your classroom. If a particular student violates any of the rules on behavior and discipline in the El Rancho High School handbook, you may write a referral and send that student to the office and the grade level dean will take disciplinary actions based upon the El Rancho High School handbook. Failure to comply with this directive will result in a formal letter of reprimand and possible suspension without pay.

To assist in correcting this conduct, I offer the following suggestion:

- Review the El Rancho High School teacher handbook for assistance and recommendations regarding classroom management.
- Use tutorial time for students to work on any assignments.

A copy of this document will be placed in your personnel file after 10 days. If you choose to do so, you may prepare a response which will be attached to this document.

Exhibit V



EL RANCHO UNIFIED SCHOOL DISTRICT

9333 Loch Lomond Drive, Pico Rivera, California 90660

Tel: (562) 942-1500 • Fax: (562) 949-2821

BOARD OF EDUCATION

Delia Alvidr ez

Rachel Canchola

Rita Jo Ram rez

Alfred Renter a, Jr.

Joseph Rivera, Ed.D.

INTERIM SUPERINTENDENT

Norbert Genis

August 21, 2012

Gregory Salcido

[REDACTED]
Pico Rivera, CA 90660

RE: Notice of Unprofessional Conduct and Unsatisfactory Performance Pursuant To Education Code Section 44938

Dear Mr. Salcido:

You are hereby given notice under Education Code section 44938 that your conduct as a teacher of the El Rancho Unified School District ("District") has been unprofessional and your performance unsatisfactory within the meaning of Education Code section 44932. Your conduct falls below the standards expected of our certificated employees. You are formally directed to correct the deficiencies set forth below.

This Notice contains specific instances of objectionable conduct which could constitute cause for discipline, and provides guidance in the form of written directives in the form of a Performance Improvement Plan which are intended to assist you in correcting the faults in your conduct. Failure to correct deficiencies in your unsatisfactory performance within ninety (90) days of this written notice and in your unprofessional conduct within forty-five (45) days of this notice, repetition of the same or similar conduct, or your failure to adhere to the directives contained in this Notice may result in disciplinary action against you up to and including dismissal.

The following conduct by you has been found to be unprofessional and/or constitute unsatisfactory performance:

- On May 15, 2012, you intentionally struck a student, [REDACTED] in the back of the head with your hand; inflicting physical pain upon him. You engaged in this conduct in your class while other students were present and observed your conduct. You have since publicly admitted to engaging in this conduct via news, radio, and social media outlets. You refer to yourself as having "smacked" [REDACTED]. You have also admitted to having engaged in this conduct in your May 17, 2012 correspondence to me, stating: "I did indeed smack [REDACTED] [] on the back of his head just after he demonstratively sighed or yawned and put his head down on his desk." You defend your actions as appropriate because [REDACTED] was intending to put his head down on his desk to sleep because he was tired. [REDACTED] did not pose a threat to you, others or district property to warrant any use of physical force to correct his undesired behavior. As such, your conduct is serious, unacceptable and constitutes corporal punishment prohibited by Education Code section 49001 and Board Policy 5144, Student Discipline.

WITNESSES: EXHIBIT: 5
PAGE OF: Salcido, Vol. 1
REMOVED: ZEPEZAU, MBT
DATE: 8/22/12

[REDACTED]
Interim Assistant Superintendent
Educational Services

ADMINISTRATION
[REDACTED]
Director
Human Resources

[REDACTED]
Director
Student Services

2. On May 15, 2012, after you struck [REDACTED], in the back of the head, you were unprofessional in your verbal communication with him. More specifically, you said to him: "If you do not want to be in the class then get the fuck out," or words of similar import. You made this comment in the presence of other students who witnessed your conduct and heard your comments towards [REDACTED]. Other than [REDACTED] placing his head on his desk, there was no evidence of any defiant behavior on his part to require his removal from class. Directing a student out of the class for such conduct is inconsistent with the District's student discipline policy. Further, it is unprofessional to use profanity when addressing students or anyone while conducting your duties as a teacher and employee of the District. Additionally, it is not consistent with the prescribed manner for the delivery of instruction in accordance with the curriculum for your subject matter or the California state teaching standards.

3. During at least the immediately preceding school semester, you have been unprofessional in your referring to students by nicknames that are or can easily be perceived as discriminatory, harassing, and which are contrary to the District's policies and regulations. It is an affront to Board Policy 4119.21, the Code of Ethics, which is expected to be followed by every certificated employee, "to maintain the highest ethical standards, to follow district policies and regulations, and to abide by state and national laws. Employee conduct should enhance the integrity of the district and the goals of the educational program." More specifically:
 - a. You have referred to student [REDACTED] as "Chaz." You admitted referring to [REDACTED] as "Chaz" in your May 17, 2012 correspondence to me, stating: ". . . I and everyone on campus refer to [REDACTED] as "Chaz." The name "Chaz" is in reference to a transgender male known as "Chaz Bono."
 - b. You have also publicly referred to him as "Chaz" during a radio interview you gave to KFI Radio, on or about May 17, 2012.
 - c. In your May 17, 2012 letter to me, you go on further to admit that you have a "Blackie" and a "Bubba" in your class; presumably a further admission to your referring to at least two other students by these nicknames. "Blackie" could be a reference to a student's color, race or ethnicity. "Bubba" could be a reference to a student's size and physical attributes.

Based on your admitted use of nicknames to refer to students as "Chaz," "Blackie," and "Bubba," while you may not intend to attribute a negative connotation to these nicknames or your use of them, such use is contrary to the District's policies against discrimination, harassment, and bullying. In all, these names could be offensive not only to those students to whom the names are used to reference, but to other students who may identify with these protected classes.

Board Policy 5145.3 requires that programs and activities be "free from discrimination, including harassment, with respect to the actual or perceived ethnic group, religion, gender, color, race, ancestry, national origin and physical or mental disability, age or

sexual orientation." Your use of these nicknames is contrary to the requirements of this policy.

Board Policy 5145.3 also provides that "[s]chool staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision." Again, your referring to students by such nicknames contributes towards a negative bias and stereotyping of the students and others like them.

Administrative Regulation 5145.7 identifies prohibited sexual harassment to include "other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the education setting, when: [. . .] 3. The conduct has the purpose or effect of having a negative impact on the student's academic performance, or of creating an intimidating, hostile or offensive educational environment." In this particular case, referring to ██████ as "Chaz," a transgender celebrity, creates an offensive learning environment for ██████ who may not be a transgender student. Further, for any other transgender students, hearing such references could similarly negatively impact their learning environment.

4. The District recognizes that you have a right to your free expression of opinions and ideas; however, when such expressions have a negative impact on the working and learning environment, as well as on the public perception of the District, the District is compelled to redress the effect of your statements. More specifically, since the incident on May 15, 2012, involving ██████, you have publicly, through news, radio and social media outlets:
 - a. Admitted that you "smacked" ██████;
 - b. Disclosed that ██████ has a history of disrupting the classroom; "He is a daily distraction to the learning process."
 - c. Reported having no regret for hitting ██████, believing that it was appropriate to hit the student in the manner that you did.

Your comments convey a message to the public that your behavior and conduct towards ██████ and the students in your class, should be acceptable to and condoned by the El Rancho Unified School District. Such conduct is not acceptable to or condoned by the District. You have therefore brought disrepute to the District. All teachers in the District know that it is never appropriate to put hands on a student. Your conduct is contrary to the prohibition on corporal punishment. Further, your comments about ██████'s in-school conduct come dangerously close to an unlawful disclosure of private pupil information prohibited by state and federal laws. Such public disclosure of student information could result in the public's loss of trust in the District to secure private student information. It could also lead to potential legal action against the District for violation of student privacy and other potential civil claims.

5. The conduct you engaged in, as described in Paragraph 1, above, is not the only example of your exercise of poor judgment when dealing with students and engaging in conduct which could be construed as corporal punishment. More specifically, on or about May

10, 2012, you made a student [REDACTED] do push-ups in order to gain entry into your classroom. When asked about this by [REDACTED], Dean of [REDACTED], you stated that you do not make students do push-ups, but that students "choose" to do them when they walk in late. However, when interviewed, [REDACTED] stated that it was understood that all students must do 10 push-ups or 10 jumping jacks before you allow them to enter the class. Such an understanding must necessarily have been suggested or endorsed by you in order for it to persist. Such a requirement could be construed as a form of corporal punishment prohibited by Education Code section 49001 and Board Policy 5144, Student Discipline. You were directed not to make students do push-ups in order to be let into your classroom.

6. The conduct you engaged in, as described in Paragraphs 2-3, above, is not the only example of your exercise of poor judgment when dealing with students and making unprofessional comments. More specifically
- a. On or about July 19, 2010, you made inappropriate, unprofessional, and threatening comments to a student, [REDACTED]. More specifically, during class, in addition to other questionable comments, you told [REDACTED] "Shut up or I'll kill you. It wouldn't be good for us, especially for me because you are white." When [REDACTED] became offended and replied to you that she was Irish, you responded by saying, "That is the same thing." Students began laughing and you then said, "You look like [REDACTED] [REDACTED], aren't you half Nazi or something?"
 - b. Similarly, on or about July 2, 2010, you made inappropriate, unprofessional, and threatening comments to a student, [REDACTED]. More specifically, you told [REDACTED] "Meet me at my house. I'll beat your ass. The only reason you act like this is because you know I can't hit you, but you are just a wimp."

As a result of the above conduct, you received a Letter of Reprimand on or about July 23, 2010 and were advised that your conduct violated Board Policy 4119.21 and Education Code section 233.5 pertaining to character education. Your comments to these students were unprofessional and offended the students and their parents. Such comments also have a harmful effect on students' self-esteem and only serve to reduce your credibility and authority in the eyes of your students. You were directed to refrain from making inappropriate, derogatory, and unprofessional comments towards any student.

Directives and Performance Improvement Plan of Assistance

You are expected to reflect upon the seriousness of your conduct and to take steps to immediately remediate these deficiencies. The expectation is that within 90 days of this Notice you will show substantial improvement as determined by me. To overcome the deficiencies noted above, you are directed to do the following:

1. Refrain from placing hands on any student for any reason, unless necessary to protect yourself or others as permitted under Education Code section 49001.
2. Conduct yourself in a professional and courteous manner with all students and refrain from engaging in unprofessional verbal communications with students.

9/10, 9/14
10/9

6/13, 20
27, decision 4



9/4, 9/12, 9/26
10/10

3. Refrain from calling students inappropriate nicknames that disparage or make fun of them or other students in any way.
4. Refrain from using profanity in any interactions with students, parents, or staff.
5. Refrain from making any threats to students.
6. Follow the adopted curriculum for the subject matter you teach, as well as the state teaching standards for instruction.
7. Submit weekly lesson plans to your site principal by the morning of the Friday before the week in which the lessons will be taught.
8. Review and adhere to Board Policies and Administrative Regulations related to student discipline, including, but not limited to, Board Policies and Administrative Regulations 5144, 5145.3, 5145.7. (Attached)
9. Review and adhere to Board Policy and Exhibit 4119.21. (Attached)
10. Review and adhere to Education Code section 49001. (Attached)
11. Review and adhere to Education Code section 233.5. (Attached) - *enforce student*
12. Comply with any directive given to you by your supervisor or any other administrator.
13. Should you have any question about the meaning or application of the policies, regulations and/or laws you have been directed to review, you are to immediately contact your supervisor to schedule a time to meet and discuss your concerns.
14. Reflect upon the seriousness of conduct set forth in this Notice of Unprofessional Conduct and Unsatisfactory Performance and take steps to immediately remediate your deficiencies.
15. If you are unclear about the meaning or application of any of the above directives, you are further directed to immediately contact me to ask for clarification. Failure to comply with these directives may result in further and appropriate discipline.

*Code of Ethics
Rules for prof cond. for
education*

The Performance Improvement Plan of assistance delineated above is not intended to be exhaustive. Any other means appropriate to remedy the deficiencies cited above should be utilized. Additionally, you are directed to comply with any suggestion given to you by me or your supervisors to assist you in overcoming the above-mentioned deficiencies.

This Notice and the directives provided herein are effective immediately, and you are directed to correct your unprofessional conduct within 45 days of this Notice and your unsatisfactory performance within 90 days of this Notice, and to maintain compliance with the directives contained in this Notice at all times in the future. Failure to correct the deficiencies described herein will result in the imposition of disciplinary action against you, up to and including dismissal.

*4/5/12
a J OAK J
u 9/20/12
pers*

The degree of your participation and interest in this plan will affect the Superintendent's, or designee's, determination of whether substantial improvement has been made within the operative period of this plan.

Personnel File

This Notice, with its attachments, will be placed in your personnel file. Pursuant to Education Code section 44031, Article II, section Q of the El Rancho Federation of Teachers' collective bargaining agreement, and Board Policy 4112.6, you have the right to respond in writing to this material and to have your response included with this Notice in your personnel file. As required under Section 44938, a copy of your most recent evaluation is enclosed.

If you have any questions regarding this "Notice of Unprofessional Conduct and Unsatisfactory Performance" or if you would like to discuss your employment status with the District, please contact my office.

Sincerely,

[REDACTED]

[REDACTED]

Director of Human Resources

Enclosures:

Evaluation, February 27, 2008
Board Policies and Administrative Regulations 5144, 5145.3, 5145.7
Board Policy and Exhibit 4119.21
Education Code Section 233.5
Education Code Section 49001

cc: Personnel File
[REDACTED], Interim Superintendent (w/o enclosures)
[REDACTED], Principal

Exhibit W

exhibit	date	action	From	subject	victim	items provided for him to review	description
U	10/7/2009	Discussion in classroom with [REDACTED]	[REDACTED]	not kicking kids out of class			Referenced in 3/14/11 letter
Q	10/12/2009	Summary of Conference 10/07/09	[REDACTED]	kicking kids out of class	[REDACTED] [REDACTED] [REDACTED]		Salcido fundamentally disagrees with disciplines
	7/2/2010	Verbal Warning bt [REDACTED]	[REDACTED]	Meet me at my house I'll beet your ass	[REDACTED]	Professional conduct policy 4119.21	
	7/20/2010	Paid Admin leave		investigation			
R	7/23/2010	Letter of Reprimand	[REDACTED]	shut up or I'll kill you Racist remarks about being white Anti religion remarks	[REDACTED]	Dp 4119.21 Rules of Conduct for professional	
	7/23/2010	returned to work					
	Feb-11	Memo reminding of proper supervision		not kicking kids out of class			Referenced in 3/14/11 letter
T	2/18/2011	Memorandum - student removal from class	[REDACTED]	not kicking kids out of class			

	1/15/2013	letter of satisfactory improvement				Ed Code 49001	
O	3/26/2014	Letter of Reprimnd	██████████	Swearing at students Kicking students out of class with no referral	██████████ ██████████ ██████████	Board Policies, Cal Standards teaching profession Cal Ed code	
						Student handbook	school behavior and discipline
P	10/30/2014	Letter of reprimand	██████████	kicking kids out of class	██████████ ██████████	Rukes of conduct for professional educator BP 5113 (a) (b) BP 5113 (b) AR 5113 (a) (b) (c) BP 5144 (a) (b) AR 5144 (a) (b) (c) BP 8137 (a) (b) (c) Ed Code 200-201	
	11/14/2014	notice of investigation		unprofessional behavior school pictures "slut" comment	██████████	Board Policies, Cal Standards teaching profession Cal Ed code	
						Student handbook	school behavior and discipline

Exhibit X-1 to X11

March 27, 2015

[REDACTED]

Pico Rivera, CA 90660

[REDACTED],

Just wanted to drop you a note of genuine appreciation for all the love and support you continue to offer me and my family.

I am truly proud to be associated with you and the entire [REDACTED] family.

Looking forward to seeing at the park for the remainder of the season. And of course, thank you for the pictures of [REDACTED].

In friendship and respect,

Gregory Salcido
Mayor



CITY OF PICO RIVERA
Special Event Memo

DATE: March 5, 2015
TO: Honorable Mayor and Members of the City Council
FROM: City Manager
SUBJECT: SIGNATURE CROSSFIT RIBBON CUTTING CEREMONY

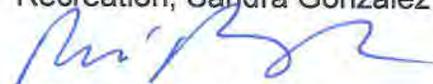
You are cordially invited to attend:

Event: Signature CrossFit Ribbon Cutting Ceremony
Date of Event: Friday, April 3, 2015
Time: 10:00 a.m.
Location: 9477 Telegraph Rd., Pico Rivera, CA 90660
Attendance: Approximately 20

SPECIAL INFORMATION:

Parking Instructions: Reserved in parking lot
Speaking Opportunity: Yes
Talking Points: Signature CrossFit is a fitness studio that provides classes that incorporate elements of high-intensity interval training, Olympic weightlifting, plyometrics, powerlifting, gymnastics, calisthenics, and other exercises.
Attire: Business
R.S.V.P. Please confirm your attendance with Sandra Peña at ext. 4371 no later than Wednesday, March 18, 2015.
Special instructions: Request for Council to welcome guests and assist with ribbon cutting ceremony at 10:00 a.m.

If you have any questions regarding this event, please contact Director of Parks & Recreation, Sandra González at (562) 801-4429.


René Bobadilla

cc:  Sandra J. González, Director of Parks & Recreation
Charissa Manor, Recreation Manager
Guille Nuñez, Senior Planner



CITY OF PICO RIVERA
Special Event Memo

DATE: May 18, 2015
TO: Honorable Mayor and Members of the City Council
FROM: City Manager
SUBJECT: MEMORIAL DAY

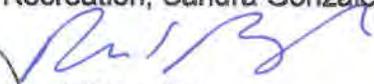
You are cordially invited to attend:

Event: Memorial Day
Date of Event: Monday, May 25, 2015
Time: 10:00 a.m.
Location: 9001 Mines Ave., Pico Rivera, CA 90660
Attendance: Approximately 200

SPECIAL INFORMATION:

Parking Instructions: VIP Section – Located on Mines Ave., (Closest to the Senior Center Driveway)
Contact Person: Sandra Gonzalez– (562) 343-4265
Speaking Opportunity: Yes
Talking Points: Yes
Attire: Business
R.S.V.P. Please confirm your attendance with Sandra Peña at ext. 4371 no later than Thursday, May 21, 2015.
Attachment: Map of Parking
Additional Information: VIP Reception to follow at the Center for the Arts, 9200 Mines Avenue, Pico Rivera, CA

If you have any questions regarding this event, please contact Director of Parks & Recreation, Sandra González at (562) 801-4429.



René Bobadilla



cc: Sandra J. González, Director of Parks & Recreation
Charissa Manor, Recreation Manager

**CITY OF PICO RIVERA
MEMORANDUM**

Date: December 2, 2014
To: Mayor and City Council
From: City Clerk's Office
Subject: Parks & Recreation Commission Applications

The current term for the Parks & Recreation Commissioners is due to expire this month. Attached are applications of residents who are interested in filling these positions. Each of the current five (5) commissioners may be reappointed for another full term or new appointees may be chosen from the attached applicants provided. Should none of these applicants meet your requirement, you may select a resident of your choice who will in turn need to fill out an application prior to being appointed. Reappointees (existing commissioners) are required to fill out an application for the new term as well. The appointment of the Parks & Recreation Commissioners is proposed to take place at the January 13, 2015 City Council meeting.

Please let me know of your selection by January 5, 2015 so that the resolutions could be prepared for the January 13, 2015 City Council meeting. I'm available to answer any questions or provide you with any assistance that you may need.



Anna Jerome
City Clerk

cc: City Manager Bobadilla

After a short sabbatical, it's back.

Friday Feature . . .

Community Pride via "If You Lived in Pico Rivera . . . You Would Be Home Now."

As you know, I am ridiculously proud to be from Pico Rivera. Even as a young boy I can remember feeling fortunate to be from "God's Country." Such zealous pride was instilled in me by my father in likely an unintentional way.

Like many people from my generation who call or have called Pico Rivera home, our American ancestral roots go back to East Los Angeles. And this is true for the Salcido clan. My parents grew up in the same neighborhood just off Brooklyn Avenue and Eastern Avenue. Lots of cousins, uncles and aunts lived up and down those same streets like Hammel, Fisher, Brannick and Floral Drive. Ironically, even my wife's father grew up on Fisher Street. Some of our relatives still reside there today. But we were the only family to, back then, leave East LA for what seemed to me, as a result of my dad's propaganda, the "greener pastures" of Pico Rivera.

I include the East LA reference because it was on our way home from our family weekend visits where I first heard the term "God's Country." After visiting both of my grandmas and one or sometimes two other households, most often the Carrillo cousins who my dad and the Salcido's have always had a special connection with, my dad would always make a grand gesture of relief once our Datsun hatchback mini station wagon reached the "If You Lived in Pico Rivera . . . You Would Be home Now" sign on Rosemead Blvd just as you reached Gallatin Road on the north side of town. My dad would say "Whew! We're Home! We're back in God's Country."

Those words and sense of community pride have always remained with me. And it has been a personal goal to share such pride with anyone who will listen especially my fellow residents of Pico Rivera.

Of course, our community, just like any other has challenges. But there certainly is much to be proud of and much to cherish, promote and protect. The reimplementing of the beloved signs can serve as a historic, yet timely reminder that things are good in "God's Country" . . . Pico Rivera, California, USA.

May 15, 2015

Dear _____:

On behalf of the City Council, I am pleased to invite you to attend the City Council Meeting on Tuesday, May 26, at 6:00 p.m. to be recognized for your ___ years of service to the City.

It is appropriate to present service awards at a City Council Meeting so the public will know the great importance we attach to loyal service to the people of this City. Please let your family know we would be happy if they would accompany you to the meeting.

We would appreciate you letting my assistant, Sandra Peña know whether or not you are able to attend by Wednesday, May 20. Sandra can be reached at ext. 4371.

Sincerely,

Gregory Salcido
Mayor

GS:sp

cc: City Clerk
Human Resources

**CITY OF PICO RIVERA
MEMORANDUM**

Date: April 27, 2015

To: Mayor and City Council

From: City Manager

Subject: MARIJUANA DISPENSARIES AD HOC - MEETING SUMMARY

Meeting Date: April 22, 2015

Attendees: Mayor Gregory Salcido, Committee Member
Mayor Pro Tem David Armenta, Committee Member
René Bobadilla, City Manager
Benjamin Cárdenas, Assistant to the City Manager
Ben Martinez, Dir. of Community and Economic Development
Allen Castellano, Captain
Glenn Walsh, Sergeant
John Lam, City Attorney
Christina Gallagher, Associate Planner

Summary:

Director Martinez provided an overview of staff's presentation and announced staff present to Mayor Pro Tem David Armenta, whom was participating via conference call.

Prior to staff's presentation, Mayor Pro Tem Armenta mentioned the City of Santa Ana experiencing issues due to the lottery selection process within their medical marijuana ordinance. Mayor Salcido replied that some sort of random selection process for qualifying applicants would be necessary.

Associate Planner Christina Gallagher provided a status of the City of Santa Ana's medical marijuana application process, stating that Santa Ana received over 600 Medical Marijuana Registration Applications, collecting over \$1 million dollars in fees. On February 5th, Santa Ana held a lottery selection process conducted by a 3rd party accounting firm, which resulted in allowing approximately 20 Registered Applicants to move on to the Regulatory Safety Permit Application process. Since late February, approximately 4 Regulatory Safety Permit Applications have been submitted to the Santa Ana Police Department. Ms. Gallagher stated Santa Ana's City Council may at its discretion increase or decrease the gross receipts tax rate on medical marijuana with the min. rate at 5% and the max. at 10%. Santa Ana's current tax rate is 5%.

Mayor Salcido asked if it was legal to tax a business at a different rate than others, to which City Attorney John Lam affirmed as long as the use is not a 1st Amendment type of use and the City could justify the tax. Mayor Pro Tem Armenta asked if the correct terminology for medical marijuana dispensaries was cooperatives and collectives, which City Attorney John Lam affirmed.

MARIJUANA DISPENSARIES AD HOC – MEETING SUMMARY

Page 2 of 3

Ms. Gallagher summarized Costa Mesa's status, which tabled a draft ordinance in March 2015 and received 2 voter-initiated ordinances in 2014. In Dec. 2014, Costa Mesa's City Council opted not to call a special election for the 2 voter-initiated ordinance based on City Attorney advice stating that because the ordinances were seeking to impose a tax, the California Constitution require the vote be held during the next council election in Nov. 2016. Recent lawsuits have been filed ordering the city to hold a special election for voter-initiated Initiatives.

Ms. Gallagher summarized the medical marijuana reform legislation currently being vetted through the State Assembly. AB 26 would establish a Div. of Medical Cannabis Regulation and Enforcement within the Dept. of Alcohol and Beverage Control. AB 34 declares the legislator's intent to enact a comprehensive and uniform state regulatory structure, and may be rolled into AB 26, due to their similarities. AB 266 is largely based on last year's SB 1262, and is co-sponsored by the California Police Chiefs Associate and the League of CA Cities. AB 266 would establish a Bureau of Medical Marijuana Regulation in the Dept. of Consumer Affairs. All bills are presently in committee.

Ms. Gallagher then went on to summarize voter ballot initiatives that have been filed and that may be filed for Nov. 2016. A medical marijuana reform voter ballot initiative, titled California Medical Marijuana Access Initiative, has been filed with the state, which protects doctor's right to recommend cannabis and limits local regulations on cultivation, transportation, and distribution. A state voter ballot initiative for recreational marijuana legalization, titled California Artisan Cannabis Initiative, has been filed, and is designed to protect small farms from post-legalization competition by bigger business. There are 3 potential recreational marijuana legalization voter ballot initiatives currently in the process gathering public input and signatures for the Nov. 2016 ballot.

Strictly for Educational/Research Purposes Only:

Ms. Gallagher concluded with an overview of potential medical marijuana regulations that at sole discretion of the City Council could be consider in the future for Pico Rivera, including; limited to 1 operator within the City; distance requirements from sensitive uses; prohibiting delivery services; and restricting the use to General Industrial (I-G) zones. The operator clearance requirements propose procedures similar to Santa Ana's, requiring applicants go through a 3-step process consisting of: (1) a Registration Application to determine eligibility of entity (cooperative or collective) and proposed location to enter lottery selection process; (2) a selection process where the first randomly selected application is allowed to move on; (3) submit a Regulatory Safety Permit Application to conduct background investigation on applicant. Potential enforcement guidelines would require the operating cooperative/collective to submit to an annual audit, provide quarterly reports to the City Manager and require City agents/employees granted unrestricted access.

Mayor Salcido asked why the lottery occurs before the background investigation. City Attorney John Lam stated that having staff conduct an in-depth review at the forefront of the process for all submitted applications would be very taxing on City resources due to the anticipated high-volume of application submittals, in light of the over 600 applications received by the City of Santa Ana when they were initially estimating only 100 application submittals. Ms. Gallagher stated that the application process could be modified through additional discussions with staff, the Mayor and City Council.

MARIJUANA DISPENSARIES AD HOC – MEETING SUMMARY

Page 3 of 3

Per Director Martinez's request, City Attorney John Lam stated that currently all Ad Hoc Committee documents are drafts/notes and are not subject to public review under the Public Records Request Act, however if staff is directed to develop an ordinance and report to the entire City Council that would be at a regular meeting with all prepared staff reports and documents available for public review. The question was posed to the committee regarding if they wanted to continue to monitor cities, state legislation and voter-initiated ballots. Mayor Salcido stated his desire to continue monitoring at staff level discussions in order to be prepared for any possible voter-initiated ordinances and state law reform.

Capt. Castellano commented that the City should proceed with caution due to the high likelihood of medical marijuana advocacy groups focusing on Pico Rivera, if a discussion on the issue is initiated during a regular meeting of the City Council.

Per Director Martinez's request, City Attorney John Lam stated that ballot measures that strip the City of all land use and enforcement control would likely not be passed and that in cases where legislation is passed permitting use state-wide, the City would have the option to enact a moratorium for up to 2 years to study and develop an ordinance or the City could immediately adopt an ordinance.

Mayor Salcido stated that staff should continue with monitoring other cities and legislation, and be prepared for future movement, if needed.

Benjamin Cárdenas, Assistant to the City Manager, asked if there were any discussions regarding reconciling the discrepancies in federal and state law, to which City Attorney John Lam stated there were not. Sgt. Walsh stated that current federal stance on enforcement could change with the administration.

Mayor Salcido excused himself from the meeting due to a prior engagement.

Mayor Pro Tem Armenta asked how much tax revenue such an operation would generate. Sgt. Walsh stated a true figure would be unattainable due to fraudulent book keeping. City Manager Bobadilla estimated approximately \$200k - \$300k based on a 10% tax rate.

Recommendation: N/A

Follow-up:

Staff directed to schedule Ad Hoc meeting in the next 30 days to continue discussions and conclude with Mayor Salcido and Mayor Pro Tem Armenta providing clear direction to staff.

René Bobadilla

RB:BM:CG:sp

*Previous Meeting Dates: 1/5/14, 12/22/14

May 6, 2014

Rene Bobadilla - City Manager
Huntington Park City Hall
6655 Miles Avenue
Huntington Park, CA 90255

Mr. Bobadilla,

Please allow this correspondence to serve as my empirically based endorsement of the professionalism, preparedness, and ultimate effective efficiency of the waste hauling service of the team at NASA Services, Inc. For the past two years in which the City of Pico Rivera has been partnering with NASA, our residents and business have enjoyed and marked improvement in service as well as increase in revenue to the City.

To cut immediately to the chase . . . During these times of inordinately stressed public agency budgets, it was the 23% savings, totaling \$1.3 annually, afforded to the City that may have been most attractive at the outset of the relationship. But it has been the unprecedented service and willingness to truly become a part of the community that has been most impressive about the team at NASA.

And although you would obviously expect someone offering a letter of support to share words of praise, I can tell you NASA was not my top choice to receive the waste hauling contract in my City when we completed the RFP and interview process. My rationale was not based on a perception NASA was incapable of doing the job. In fact, I felt their presentation was strongest of a group of finalists. Their team displayed a rare sense of hunger for an opportunity to do what they knew they could do for the City at a much greater value. But after seeing neighboring Cities go through trash contract "drama" leading to unhealthy political strife, I believed the status quo calm and stability may have been worth the decreased revenue to the City. Essentially, I wanted to play it safe and remain with the previous, or, at that time, current long-time hauler to avoid the circus atmosphere municipal trash contract awards often attract. However, a majority of my colleagues believed it was time for a change. And although I disagreed, I did ultimately vote in favor of the change. And I can confidently say I have never cast a more valuable vote. NASA has delivered on its contractual obligations and, as important, become an integral part of the community.

Being on the City Council since 1999 I have had the opportunity to work with and, in some cases, learn from the various contractors, consultants and vendors associated with the City. But it has been through the City's relationship with NASA that I have observed the most comprehensive example of the mutually beneficial dividend reaped when a contractor service provider genuinely appreciates an opportunity granted and naturally goes above and beyond to display said gratitude. The relationship that exists between NASA and the City of Pico Rivera is by far, the best business partnership I have witnessed and participated in during my tenure

on the Council. If provided the opportunity, I have absolutely no doubt NASA will quickly establish a similarly productive relationship with the City of Huntington Park.

I trust NASA's above stated qualifications and more will shine through as your RFP process continues. Please feel free to contact me directly if I can offer any additional insight.

Respectfully,

Gregory Salcido
Councilman

IF YOU LIVED IN

Pico Rivera

YOU WOULD BE
HOME NOW!

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Proposed WRD Act Amendments

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Art Cervantes

Mar 14

to me, Ronald

Good morning, Gregory:

Here's some information regarding AB2189 which will be before the Local Committee later this month. I'm sending this to you in advance of our Monday as this bill will be discussed by SEWC.

- WRD has not complied with Prop 218 in setting their rates. I believe the about 15% per year on average over the past seven to ten years.
- Other Appellate courts have held that water replenishment fees are water however, in this district, the litigation has been going for years.
- For legislation a) WRD has been lobbying for legislation to revise the cities have lobbied for legislation like this.
- Cristina Garcia has made it clear that she wants to make water one of
- For Pico Rivera, we pass through the WRD increases to water custome impact to the City or the Water Authority. The impact of the increases is fel
- Following the ruling by the courts, WRD set the 2013/14 replenishment manner that did not conform to Prop 218. The reason, WRD sent notices to (approx 800,000) of properties within the District as an attempt to pass on th owners or residents (who knows). Instead, the notices should have only bee
- WRD is in the process of setting the replenishment assessment rates fr again attempt to comply with Prop 218. WRD has stated publicly that the n the pumpers, however under protest.

In essence, for setting the upcoming rates, WRD is already following the outlined by AB 2189, be it under protest. The attached letter might be r to the Board it will change after the AE discusses this item.



CITY OF PICO RIVERA



The City of Pico Rivera would like to welcome you to Smith Park Stadium. To preserve the quality of the synthetic turf, the following rules apply:

RULES

- **NO** Food or drinks (except water)
- **NO** Pets of any kind
- **NO** Canopies chairs carts etc
- **NO** Bikes skateboards scooters etc
- **NO** Kicking balls against fences
- **NO** Non permitted use (PRMC 8 44 010)
- **NO** Use after 10PM (PRMC 8 44 020)

HOURS OF USE

Weekdays

7:30AM - 5:00PM	OPEN PLAY
5:00 - 9:00PM	RESERVED

Weekends

7:30AM - 5:00PM	RESERVED
5:00PM - Dusk	OPEN PLAY

Times are subject to change without notice

FIELD RESERVED TODAY FOR:

Exhibit X-12

🏠 15% 3:38 AM

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Posts

 **Gregory Salcido** ...

Jan 27 at 1:38pm · 🌐

I can care less if I have offended anyone who has joined the military and served our country. It's not my fault they are all fucking idiots and not smart enough to attain a college education. Fuck all those Veteran's, especially the WWII and Vietnam Veterans. I won't and can't lose my job for practicing my freedom of speech. If you're a Veterans and are reading this; fuck you !

👍 7 1 Comment

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Exhibit X-13 to X16









Exhibit X-17

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Proposed WRD Act Amendments

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Art Cervantes

9:44 AM (3)

to me, gregorysalcido, Ronald

Councilman Salcido,

As requested, here is a summary of the topics we discussed. Please let m or if clarification is needed.

- Rosemead Lateral Extension – The Rosemead lateral extension will be (water contractor), and will meet PWD’s design and construction standards;
- 8-inch Mainline – All the water services needed for Rio Vista Park are to 8-inch mainline;
- “One dig” Approach To Avoid Paying Twice for Water Service Connectio
 1. Temporary Condition – Use the existing water meter to school on a temporary basis while construction of the 8-inc
 2. Temporary Condition (Optional) - Connect the new fire l mainline so that the concession stand can be opened to th
 3. Permanent Condition – Connect all of the park’s water the 8-inch mainline.
- PWD Attempting to Stop the City from Hydroseeding

