

HEALTH EDUCATION, PUPIL SERVICES, AND PARENTS' OR STUDENTS' RIGHTS REQUIRING ANNUAL NOTIFICATION

DEAR PARENT/GUARDIAN:

State and federal laws require school districts to notify parents and guardians of minor pupils of parental rights. The law requires the parents or guardians to sign a notification form and return it to school. The signature is an acknowledgment that the parents or guardians have been informed of their rights but does not indicate that consent to participate in any particular program has been either given or withheld.

Some legislation requires additional notification to the parents or guardians during the school term or at least 15 days prior to a specific activity. (A separate letter will be sent to parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are spelled out in this form.

The following rights, responsibilities, and protections are provided (when used in this notification "parent" includes a parent or legal guardian):

RULES AND PROCEDURES ON SCHOOL DISCIPLINE (EC§ 35291): Rules pertaining to student discipline, including those that govern suspension or expulsion, are outlined in EC§ 48900 and are available from the building principal. They are also communicated to all students every year. In addition the following disciplinary information is to be provided to parents:

Hazing Prohibition (EC§ 32051): Prohibits pupils or other persons in attendance from conspiring to engage in hazing.

Sexual Harassment Policy (EC§ 231.5; 5CCR§ 4917): Each district shall have a written policy on sexual harassment. Districts are also required to display the policy in a prominent location and include in orientation for employees and students.

Dress Code/Gang Apparel (EC§ 35183): Authorizes district to adopt reasonable dress code.

Sun Protective Clothing/Use of Sunscreen (EC§ 35183.5): Requires school sites to allow for outdoor use of sun-protective clothing.

Further provides for the use of sunscreen by students during school day and authorizes sites to establish policy.

Duty Concerning Conduct of Pupils (EC§ 44807): Every teacher shall hold pupils accountable for their conduct on the way to and from school, and on the playground.

Laser Pointers (PC§ 417.27): Prohibits possession of laser pointer for any student, unless possession is for valid instructional or other school related purpose.

Duties of Pupils (5CCR §300): Requires pupils to conform to school regulations; obey all directions; be diligent in study and respectful of teachers and others in authority; and refrain from profane and vulgar language.

SEX EQUITY IN CAREER PLANNING (EC§ 221.5(d)): Requires district to notify parents in advance of career counseling and course selection commencing with course selection for Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions.

SCHOOL ACCOUNTABILITY REPORT CARD (EC§ 35256): Districts are to make a concerted effort to notify parents of purpose of school accountability report cards, ensure that all parents receive a copy of the report cards.

INSTRUCTION ON AIDS AND PREVENTION (EC§ 51201.5): Parents are to be notified in writing prior to any instruction or class on AIDS and AIDS Prevention. The student shall be excused from such instruction upon written parental request.

INSTRUCTION ON AIDS AND PREVENTION (EC§ 51550): Parents are notified in writing prior to any instruction or class in which human reproductive organs and their function or processes are described, illustrated, or discussed. Materials to be used may be reviewed prior to instruction.

HEALTH, FAMILY LIFE, AND SEX EDUCATION: CONFLICT WITH RELIGIOUS BELIEFS (EC§ 51240): Whenever any part of the instruction in health, family life, or sex education conflicts with religious training and beliefs or personal moral convictions of the parent or guardian, the student shall be excused from that part of the instruction upon written parental request. The Education Code requires all public schools that teach sex education courses that discuss sexual intercourse to include the provisions of Section 1255.7 of the Health and Safety Code and Section 271.5 of the Penal Code.

SEX EDUCATION INSTRUCTION: Requires district to notify parents, in writing, prior to any instruction in which human reproductive organs and their functions and processes are described, illustrated, or discussed, and the right of parents to inspect and review materials to be used. Opportunity for parent to request, in writing, that child not attend instruction should also be included.

PUPIL NUTRITION (EC§ 49520): Reduced Price Lunches: Needy pupils may be eligible for free or reduced priced meals. Details are available at your child's school site.

STATE FUNDED ADVANCED PLACEMENT EXAMINATIONS (EC§ 48980(m)): Requires annual notification to advise parents of the availability of state funds to cover costs of advanced placement examination fees pursuant to EC§ 52244.

RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS (EC§ 32255-32255.6): Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals.

CONTINUING MEDICATION REGIMEN (EC§ 49480): The parent or legal guardian of any public school pupil on a continuing medication regimen for a non episodic condition shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

PRESENCE OF PUPIL WITH TEMPORARY DISABILITY IN HOSPITAL (EC§ 48207- 48208): The parent or guardian of a pupil hospitalized or with a temporary disability shall notify the school district where the pupil is receiving care and if an individual instruction program is desired.

SPECIAL EDUCATION; CHILD FIND SYSTEM (EC§ 56301): Any parent suspecting a child has exceptional needs (handicapped) may request an assessment for eligibility for special education services through the school principal. Policy and procedure to include written notification to all parents of their rights pursuant to EC§ 56300.

SPECIAL EDUCATION COMPLAINTS (5CCR§ 3080): State regulations require the district to establish procedures to deal with complaints regarding special education. If you believe that the district is in violation of federal or state law governing the identification or placement of special education students, or similar issues, you may file a written complaint with the district. State regulations require the district forward your complaint to the State Superintendent of Public Instruction. Procedures are available from your building principal.

PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT (EC§ 49451): A child may be exempt from physical examination whenever the parents file a written statement with the school principal stating that they will not consent to routine physical examination of their child.

Whenever there is good reason to believe the child is suffering from a recognized contagious disease, the child will be excluded from school attendance.

ATTENDANCE OF SUSPENDED PUPIL'S PARENT OR GUARDIAN (EC§ 48900.1): If a teacher suspends a pupil, the teacher may require the child's parent to attend a portion of the school day in his or her child's classes. Employers may not discriminate against parents who are required to comply with this requirement.

ASBESTOS (40CFR 763.93): The district has a plan for eliminating health risks that are created by the presence of asbestos in school buildings. It may be reviewed at the district office.

USE OF PESTICIDES (EC§ 48980.3): School districts shall inform parents or guardians about the use of pesticides on school grounds as part of the annual parent notice (see attached).

COMPREHENSIVE SCHOOL SAFETY PLAN (EC§ 35294.6): Each school is required to report on the status of its school safety plan, including a description of its key elements, in the annual school accountability report card. A new mandatory component of the school safety plan is a discrimination and harassment policy.

COMPLAINTS CONCERNING DEFICIENCIES RELATED TO INSTRUCTIONAL MATERIALS (EC§ 35186) (Amended by AB 831, Ch. 118, Statutes of 2005) Requires that notice be given to a parent regarding school deficiencies to contain a statement informing parents and guardians of teacher vacancies or misassignments. See Attachment No. 3 (a) Mandatory Notification Summary.

SUPERINTENDENT'S ROLE IN AIDING PARENTS IN DUE PROCESS HEARINGS. EC§ 56502 (Added by AB 1662, Ch. 653, Statutes of 2005) Includes new timeline for notices regarding due process hearings, and requires Superintendent to develop a model form to assist parents and guardians in filing requests for due process. See Attachment No. 3(a) Mandatory Notification Summary.

UNSAFE SCHOOL CHOICE OPTION. 5 CCR 11993(k) "Any firearms violations" is an event which must be considered in determining whether a school site is at risk of being classified as persistently dangerous. See attachment No. 3(a) Mandatory Notification Summary.

NOTICE OF ALTERNATIVE SCHOOLS (EC§ 58501): California State law authorizes all school districts to provide for alternative schools. The Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

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

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the *County Superintendent of Schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information.* This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

STATEMENT OF NONDISCRIMINATION (Title VI CRA '64): The district is required to have a policy of nondiscrimination on the basis of race, color, national origin, sex, or handicap. This policy requires notification in native language if service area contains a community of minority persons with limited English language skills. Notification must state that district will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging noncompliance with this policy should be directed to the school principal. Appeals may be made to the district superintendent.

NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS (EC§ 49073): Federal and State laws grant certain rights of privacy and right of access to students and to their parents. (Release of Pupil Directory Information)

Full access to all personally identifiable written records maintained by the school district must be granted to:

- 1) Parents of students age 17 and younger,
- 2) Parents of students age 18 and older if the student is a dependent for tax purposes,
- 3) Students age 18 and older, or students who are enrolled in an institution of postsecondary instruction (called "eligible students").

Parents, or an eligible student, may review individual records by making a request to the principal. The principal will see that explanation and interpretations are provided if requested. Information that is alleged to be inaccurate or inappropriate may be removed upon request. In addition, parents or eligible students may receive a copy of any information in the records at reasonable cost per page. District policies and procedures relating to: location of, and types of, records; kinds of information retained; persons responsible for records; directory information; access by other persons; review; and challenge of records are available through the principal in each school. When a student moves to a new district, records will be forwarded upon the request of the new school district. At the time of transfer the parent (or eligible student) may review, receive a copy (at a reasonable fee), and/or challenge the records.

If you believe the district is not in compliance with federal regulations regarding privacy, you may file a complaint with the United States Secretary of Education.

The district also makes student *directory information* available in accordance with state and federal laws. This means that each student's name, birth date, birthplace, address, telephone number, major course of study, participation in school activities, dates of attendance, awards, and previous school attendance may be released in accordance with board policy. In addition, height and weight of athletes may 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 students may be given to public or private schools and colleges, parents and eligible students will be notified prior to the destruction of any special education records.

Upon written request from the parent of a student age 17 or younger, the district will withhold directory information about the student. If the student is 18 or older or enrolled in an institution of postsecondary instruction and makes written request, the pupil's request to deny access to directory information will be honored. Requests must be submitted within 30 calendar days of the receipt of this notification.

SCHOOL SAFETY PLAN (EC§ 35294.8): Planning committee is required to hold a public meeting to allow members of the public the opportunity to express an opinion about the school plan. Planning committee to notify in writing specified persons and entities.

Notice of Compliance (EC§ 35294(c)): District to notify State Department of Education by October 15th of schools that are not in compliance with safety plans.

School Buses: Passenger Safety (EC§ 39831.5): Requires safety regulations to be provided to all new students.

ATTENDANCE – Sections pertaining to school attendance:

Intradistrict Choice Policy (EC§ 35160.5(b)): Requires districts to adopt rules and regulations establishing a policy on Intradistrict/open enrollment within the district for residents of the district.

Interdistrict Attendance (EC§ 46600): Authorizes two or more districts to enter into agreement up to five years.

Residency Based on Parent Employment (EC§ 48204(f)): Authorizes districts to allow elementary pupils to establish residency if parent or guardian is employed within boundary of district.

Excused Absence (EC§ 48205): State law permits students to be absent for justifiable reasons. Allow for completion of missed assignments.

Absence for Confidential Medical Services (EC§ 46010.1): Requires district to notify pupils in grades 7 to 12, and their parents, that law permits school to excuse pupils for purpose of obtaining confidential medical services without consent of parent. While Section 46010.1 is required notification, district implementation is permissive. For clarification, districts choosing not to release pupils may wish to include such a statement with the notification

Absence for Religious Instruction (EC§ 46014): Authorizes districts to adopt resolution and regulations to allow pupils with parent consent to be excused to participate in religious exercises/instruction.

Attendance Options (EC§ 48980(j)): Required to advise parents of all current statutory attendance options.

Notification of Minimum Days and Pupil Free Staff Development Day (EC§ 48980(c)): Requires annual notification to advise parents of schedule of minimum days and pupil-free staff development days at beginning of year or as early as possible/no later than one month prior.

CONFIDENTIAL MEDICAL SERVICES (EC§ 46010): The district may excuse grades 7 – 12 pupils for the purpose of obtaining confidential medical services without the consent of the pupil’s parent or guardian.

COMMUNICABLE DISEASES (EC§ 49403): Authorizes district to administer immunizing agent to pupils, whose parents have consented in writing, to the administration of such immunizing agent.

MEDICATION (EC§ 49423): Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the physician and a parental request for assistance in administering the medications.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS (EC§ 49472): Authorizes districts to provide medical or hospital services through non-profit membership corporations or insurance policies for pupil injuries arising out of school-related activities.

INVESTING FOR FUTURE EDUCATION (EC§ 48980(D)): May advise parents of importance of investing for higher education.

ACCESS TO INTERNET AND ONLINE SITES (EC§ 48980(I)): Requires districts to provide a copy of written policy regarding Internet access.

AVAILABILITY OF INDIVIDUALIZED INSTRUCTIONS/FREE AND REDUCED MEALS (EC§ 48980(B)): Requires parents to be advised of individualized instruction as prescribed by Section 48206.3, and programs of free and reduced meals prescribed by Section 49510.

HIGH SCHOOL EXIT EXAM (EC§ 48980(E)): Commencing with 2003-2004 school year, pupils completing 12th grade will be required to successfully complete the high school exit exam. Also, prohibits administering exam to pupil not receiving adequate notice (**EC 60850**).

GRADE REDUCTION / LOSS OF ACADEMIC CREDIT (EC§ 48980(1)): No pupil shall have his/her grade reduced or lose academic credit for any excused absence pursuant to **EC§ 48205** for missed assignments / tests that can reasonably be provided / completed. Requires full text of 48205 to be included with the annual notification to parents.

PUPIL NUTRITION; NOTICE OF FREE AND REDUCED-PRICED MEALS (EC§ 49520): Requires districts to inform parents of needy children of free or reduced-priced meals.

PUPILS WITH TEMPORARY DISABILITIES; INDIVIDUAL INSTRUCTION (EC§ 48206.3): Requires districts to notify parents of availability of individualized instruction for students with temporary disabilities. Also, to inform parents of responsibility to notify district where hospital is located (**EC 48208**) where the temporary disabled student is receiving adequate notice.

CHILDREN IN HOMELESS SITUATIONS: Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. Parental Notification requires districts that receive Title I funds to notify parents of the following requirements under “No Child Left Behind.” **Program Improvements**-Parent/Guardian shall be notified when their children’s school is identified as a “program improvement” and the opportunities for school choice and / or supplemental instruction **Teacher Qualifications**-Parent/Guardian shall be notified that they may request specified professional qualifications of the student’s classroom teacher(s) and assigned paraprofessional(s).

PERSISTENTLY DANGEROUS SCHOOLS – Parents/guardians shall be notified of elementary and/or secondary schools considered to be “persistently dangerous” pursuant to California Department of Education guidelines and of available options.

INSTRUCTION: SEXUALLY TRANSMITTED DISEASES; AIDS (EC§ 51554): Parents to be properly notified of proposed instruction on AIDS, sexually transmitted diseases, human sexuality or family life. No instruction without notification.

Instruction: Sexually Transmitted diseases: (Kindergarten, Grades 1-6) Requires district to notify parents, in writing prior to instruction.

CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM (HSC§ 124085): Requires parents of kindergarten and first grade pupils of requirement of physical examination for first grade enrollment and availability of free health screening through local health department. Requires up to five days of exclusion for failure to comply or sign a waiver.

UNIFORM COMPLAINT PROCEDURES (5CCR§ 4622): Requires annual written notification to pupils, employees, parents, district advisory committee, school advisory committees, and other interested parties of district Uniform Complaint Procedures.

PUPIL RECORDS; NOTIFICATION OF RIGHTS (FERPA EC§ 49063): Requires district to annually inform parents or “eligible” pupils of their rights concerning pupil records.

SPECIAL EDUCATION (IDEA): Requires district to inform parents of federal law requirement that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years.

REHABILITATION ACT HANDICAPPED PUPILS (Section 504 of Rehabilitation Act): Requires district to annually notify handicapped pupils and their parents of district’s non-discriminatory policy and duty under Section 504 of the Rehabilitation Act.

DRUG FREE CAMPUS (Alcohol and Other Drug Use Prevention Education): Possession, use or sale of narcotics, alcohol or other controlled substances is prohibited and strictly enforced at all school activities. Records will be forwarded to local law enforcement, and district sanctions will result from violations.

SEXUAL HEALTH EDUCATION and HIV/AIDS PREVENTION. (Added by SB 71, Ch.650, Statutes of 2003) **EC § 51938.** Districts must, at the beginning of the school year or at a new enrollment, notify parents about instruction in comprehensive sexual health education and HIV/AIDS prevention education and research on pupil health behaviors and risks. *Mandatory Notification Summary.*

SCHOOL ACCOUNTABILITY REPORT CARD. (EC) Section (§)33126 (Added by SB 550, Ch. 900. Statues of 2004.) Districts must provide parents and guardians with a copy of the school accountability report card and make a concerted effort to notify parents of the purpose of the school accountability report cards. *See Attachment No. 3(a). Mandatory Notification Summary.*

PARENT ATTENDANCE OF SUSPENDED STUDENT SCHOOLDAY. EC § 48900.1 (Added by AB2855, Ch. 895, Statutes of 2004.) Parents or guardians must be provided with notice prior to a school district adopting a policy authorizing teachers to require the parent or guardian of a suspended pupil to attend a portion of a schoolday in the class of the suspended pupil. *See Attachment No. 5, Specific Circumstance Notification Summary to Parents or Guardians.*

SELF-ADMINISTRATION OF MEDICATION. EC § 49423 (Amended by SB 1912, Ch. 846, Statutes of 2004.) Students may carry and self-administer prescription auto-injectable epinephrine if certain requirements are met. *See Attachment No. 3(a), Mandatory Notification Summary.*

SEXUAL HEALTH EDUCATION AND HIV/AIDS PREVENTION. EC § 51938 (Amended by AB 1925. Ch. 323, Statutes of 2004.) If a school district elects to provide comprehensive sexual health education or HIV/AIDS prevention education through outside consultants and/or an assembly. Notice must be provided to parents that includes the date of instruction, the name of the organization or affiliation of each guest speaker and information stating that the parent/guardian has the right to request a copy of Education Code sections 51933 and 51934. *See Attachment No. 3(a), Mandatory Notification Summary.*

PUPIL INSURANCE FOR ATHLETIC TEAMS (EC § 32221.5 Requires school districts that elect to operate an interscholastic athletic team or teams to include a specified statement regarding no-cost or low-cost local, state, or federally sponsored health programs in offers of insurance coverage and in other letters and printed materials.

SCHOOL ACCREDITATION (EC § 35178.4): Requires a school district to notify each parent or guardian of a pupil in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school district's or school's Internet Web, or by any combination of these methods.

PUPIL RECORDS: INSPECTION AND PRODUCTION (EC § 49069) Requires each school district to respond to a pupil record request by providing access no later than five business days following the date of request.

PUPIL HEALTH: DIABETICS SCREENING: (EC § 49452.7) Requires each school district, on or after July 1, 2010, to provide a type 2 diabetes information sheet developed by the State Department of Education to the parent or legal guardian of the incoming 7th grade pupils.

PUPIL HEALTH: ORAL HEALTH ASSESSMENT (EC § 49452.8) Requires public schools to send a notification of the assessment requirement, including a standardized form that can be used for an assessment or on which the parent or legal guardian can indicate one of several specified reasons why an oral health assessment by a licensed dentist or other registered dental health professional assessment cannot be completed for any pupil enrolled in kindergarten in a public school, or in the first grade if the pupil was not previously enrolled in Kindergarten in a public school.

STUDENTS WITH EXCEPTIONAL NEEDS: INSPECTION OF SCHOOL RECORDS: EC §56043 Specifies the rights of parents with children with exceptional needs to examine and receive copies of records, and specifies certain timelines related thereto.

DISABLED PERSONS: High School Examination EC § 60852.4 Requires the pupil, parent, or legal guardian of a pupil to be notified that the pupil is entitled to receive a free appropriate public education, no later than 30 days prior to the receipt of a diploma in 2007.

If you do not wish directory information released (see page 2), please sign below and return to the school office within the next 30 days. 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.

Do not release directory information regarding _____
Pupil's Name

Check if an exception may be made to include pupil information and photos in the yearbook.

Detach and return the portion below which indicates that you have been notified of the specified activities and whether you have a child on continuing medication.

ACKNOWLEDGEMENT OF PARENT OR GUARDIAN OF SPECIFIC SCHOOL ACTIVITIES NOTIFICATION

(Please sign and return to school.)

STUDENT'S NAME _____

SCHOOL _____ GRADE _____

Student is on a continuing medication program: (Please check) YES _____ NO _____

If YES, you have my permission to contact my physician.

PHYSICIAN'S NAME _____ Telephone _____

Medication _____ Dosage _____

I hereby acknowledge receipt of information regarding my rights, responsibilities, and protections. I also attest, under penalty of perjury that I am a resident of the district, as previously verified, or attend under an approved Interdistrict Attendance Agreement.

SIGNATURE OF PARENT OR GUARDIAN _____ Date _____