

**ANNUAL NOTICE TO PARENTS/GUARDIANS
CONCERNING THEIR RIGHTS AND
RESPONSIBILITIES
2017-2018**

EXCUSED ABSENCES

According to law (E.C. section 48205), your child will be excused for absence when it is:

- a. Due to his or her illness.
- b. Due to quarantine under the direction of a county or city health officer.
- c. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- d. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- e. For the purpose of jury duty in the manner provided by law.
- f. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
- g. For justifiable personal reasons, including but not limited to an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent/guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- h. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- i. For the purpose of spending time with a member of his/her immediate family, who is an active duty member of the uniformed services, as defined in E.C. section 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. Such absences will be granted for a period of time to be determined at the discretion of the Superintendent of the school district.



- j. For the purpose of attending his/her naturalization ceremony to become a United States citizen.

Obtaining Confidential Medical Services (E.C. section 46010.1)

A pupil may be excused from the school for the purpose of obtaining medical services that are private in nature and scheduled confidentially, that is, without the consent of the pupil's parent or guardian.

Absence for Religious Purposes (E.C. section 46014)

With your written permission, your child may be excused to attend religious exercises or to receive moral and religious instruction away from school. However, your child will be required to complete a certain number of minutes for that day. Such absences are limited to four days per month.

No Grade Reduction or Loss of Academic Credit (E.C. section 48205)

Your child shall not have his/her grade reduced or lose academic credit for any excused absence(s) if missed assignments and tests can be reasonably provided and are satisfactorily completed in a reasonable time.

SCHOOL ATTENDANCE OPTIONS

Enrollment in Neighborhood School (E.C. section 48980)

Generally, children may attend a school run by the district in which their parents reside. Districts usually enroll children in their neighborhood school. Their neighborhood school is the school which the district has designated to serve the area in which their family resides.

In addition, the district tries to provide options so that parents who reside in one attendance area may choose to enroll their child in a school that is designated to serve another attendance area. Further, families may choose to enroll their child at a school run by another school district all-together instead of attending a school run by their own school district.

The rules governing enrollment/attendance options are designed to not only address the diverse needs and interests of district families, but also balance enrollment in order to maximize the efficient use of district facilities. There are limitations and requirements associated with each such option and transportation assistance to and from the receiving school receiving the student is generally not provided.

Intradistrict Open Enrollment (E.C. section 35160.5(b))

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district run school instead of their neighborhood school.

However, no student currently residing within a school's attendance area may be displaced by another student transferring from outside the attendance area.

Enrollment priority is given to:

Students whose neighborhood school has been classified as "persistently dangerous." (20 USC 7912; 5 CCR 11992-11993.)

Any student who is a victim of a violent crime while on school grounds. (20 USC 7912; 5 CCR 11992-11993.)

Any student enrolled in a district school receiving Title I funds that has been identified for program improvement (PI), corrective action, or restructuring. (20 USC 6316.)

Any student enrolled in a district school that has been identified on the state's Open Enrollment List. (E.C. sections 48350-48361; 5 CCR 7400-4705.)

Additional priorities are set forth in the school district's intradistrict open enrollment policy (BP/AR section 5116.1).

The district determines the number of spaces available for each grade level and/or program at each district school to which a student attending another district school may transfer. Except for priorities listed above, the school district uses a random, unbiased selection process to determine who shall be admitted whenever the school receives enrollment requests that are in excess of the school's capacity at the pertinent grade level or in the pertinent program.

The application and selection process is more fully explained in the school district's intradistrict open enrollment policy (BP/AR section 5116.1) and the Open Enrollment Act transfers policy (BP/AR section 5118).

Interdistrict Transfers (E.C. section 46600(a)(b) and section 46601)

A. Interdistrict Attendance Agreements and Permits

A student who resides in one district may transfer to and enroll at a school in another district pursuant to a permit issued under an interdistrict attendance agreement between the two school districts. Both districts must consent to the transfer. The victim of an act of bullying, committed by a pupil of the district of residence, is given priority for interdistrict attendance.

Unless the interdistrict attendance agreement expressly provides otherwise, the student does not have to reapply annually, or at all, and must be allowed to continue to attend the school in which he or she first enrolls.

Neither the sending nor receiving districts are required to consent to the transfer. There is an appeal process if an application is denied. The appeal is to the county board of education with jurisdiction over the district denying the transfer.

The application and selection process is more fully explained in the school district's interdistrict enrollment policy (BP/AR section 5117).

B. Open Enrollment Act Transfers Pursuant to an Interdistrict Attendance Agreement (E.C. sections 48350-48361; 5 CCR 7400-4705)

A student may enroll in a school outside the district under an interdistrict attendance agreement in conjunction with the Open Enrollment Act. A student in a school on California's list of 1,000 lowest achieving schools may transfer to another school with a higher API in the school district or, if none, in a nearby district. Once enrolled at a school pursuant to an inter-district transfer, the transferring student may remain at that school unless the interdistrict attendance agreement between the two school districts expressly provides otherwise. The sending district may not deny the transfer request. The receiving district, however, may deny the transfer request. The county board of education may overrule a denial.

The application and selection process is more fully explained in the school district's Open Enrollment Act transfer policy (BP/AR section 5118).

C. School District of Choice Program (E.C. section 48300-48316)

A school district may enact the School District of Choice Program. The program allows the receiving district to enroll non-district students without the agreement of their district of residence. Under this program, priority must be given to siblings of children already in attendance and the receiving district may also give priority to children of military personnel.

Once enrolled pursuant to the School District of Choice Program, the transfer is renewed automatically unless the governing board withdraws from the program. However, the student does not have a regulatory right to stay at the same school as in the case of a Section 46600 interdistrict attendance agreement. Additionally, the district of residence may impose a statutorily-set cap on the total number of students transferring out of the district, and the district of choice is required to give certain notices to districts of residence.

If a district has not chosen to become a School District of Choice, then a parent may not choose to transfer under the provisions of the program. The process is more fully explained in the school district's interdistrict enrollment policy (BP/AR section 5117).

Employment-Based Residency (E.C. section 48204(b))

A school district may adopt a policy which permits non-district students to enroll, without the agreement of their district of actual residence, if the student's parent or guardian is physically employed for a minimum of at least 10 hours per week within the geographical boundaries of the school district. A district adopting such a policy is not required to enroll every such student.

Once a student has enrolled pursuant to the employment-based residency rule, the student must be allowed to continue to attend a school within the district. However, there is no regulatory requirement that the student be allowed to continue to attend any particular school as in the case of a Section 46600 interdistrict attendance agreement.

The process is more fully explained in the school district's interdistrict enrollment policy (BP/AR section 5111.12(a)).

Students Residing with a Care-giving Adult (E.C. section 48204(a)(5))

A student who lives in the home of a caregiving adult within the boundaries of the school district is a resident of the school district. If the caregiver provides an affidavit under penalty of perjury, pursuant to the California Family Code (commencing with Section 6550), that is a sufficient basis for determining the pupil lives in the home of the caregiver, unless the school district determines from actual facts that the pupil is not living in the caregiver's home.

The process is more fully explained in the school district's residency policy (BP/AR section 5111.1).

Students Residing in a Licensed Children's Institution (E.C. section 48204(a)(1))

A student placed in a regularly established licensed children's institution, or a licensed foster home, or a family home pursuant to a commitment or placement under Welfare and Institutions Code, located within the boundaries of the school district may attend a school run by the district.

The process is more fully explained in the school district's residency policy (BP/AR section 5111.1).

Foster Youth (E.C. sections 48204(a)(2) and 48853.5)

Students who are or become "Foster" children must be permitted to continue their education at their "school of origin" through the end of the academic year and maybe longer if that placement is in their best interests. This rule applies as long as they remain "Foster" children. On the other hand, if the district's Educational Liaison and

the Foster family agree that enrollment in a “new” school is in the best interest of the “Foster” child, the new school must immediately enroll the child. Foster children must be allowed to matriculate with their peers in accordance with the established feeder patterns of the school district when transitioning to middle school or high school. The process is more fully explained in the school district’s education for foster youth policy (BP/AR section 6173.1).

Emancipated Youth (E.C. section 48204(a)(4)); Fam. Code section 7000 and following)

An emancipated student whose residence is located within the boundaries of a school district is considered a resident of that district and may attend the district’s schools. An emancipated student is a minor whose parent or legal guardian has been relieved of responsibility, control, and authority through an emancipation procedure in court.

The process is more fully explained in the school district’s residency policy (BP/AR section 5111.1).

Students Residing in a State Hospital (E.C. section 48204(a)(6))

A student residing in a state hospital located within the boundaries of a school district is deemed a resident of that district.

The process is more fully explained in the school district’s residency policy (BP/AR section 5111.1).

“Homeless” Students (42 USC 11413-114350)

A student whose parents come within the McKinney-Vento criteria for homelessness may, if they so choose, continue enrollment in the school they were attending prior to becoming homeless even if now living elsewhere in or outside of the district’s boundaries. Note that they may also choose the neighborhood school in their new district instead.

Also note that McKinney-Vento gives homeless students transportation rights. The new district and old district, together, must make transportation arrangements for the student.

The process is more fully explained in the school district’s education for homeless children policy (BP/AR section 6173).

Students Receiving Special Education Services Pursuant to an Individualized Education Program (IEP) or a 504 Plan (20 USC 1400 and following; 34 CFR 300.114-300.118)

IEP teams and the Individuals with Disabilities Education Act (IDEA), not district administrators and/or other federal/state legislation, determine the placement of IDEA

eligible students. The requirements of IDEA necessitate placement where the student can receive a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). LRE tends to create a preference favoring sites in relative close proximity to the student's home provided that the student can receive FAPE at that site.

The same is generally true of students receiving special education services pursuant to Section 504 of the Rehabilitation Act of 1973 (29 USC 794; CFR 104.33 and 104.34).

The process is more fully explained in the school district's policies on Identification and Education Under Section 504 and on Individualized Education Programs (BP/AR sections 6164.6 and 6159).

Individualized Instruction (E.C. sections 48206.3 and 48980(b))

If your child has a temporary disability which prevents him/her from attending regular classes, the district will provide individual instruction when possible.

Students in Hospitals Outside of School District (E.C. sections 48206.3, 48207, 48208)

If, due to a temporary disability, your child is in a hospital or other residential health facility which is located outside your school district, he/she may be eligible to attend the school district in which the hospital is located. If this situation should arise, you should notify both the district where you reside and the district where the hospital is located so that individualized instruction, if possible, can be provided.

Alternative School or Class Group Within the District

A school district may establish and maintain an "alternative" school or a separate class group within the district, pursuant to E.C. section 58500 that is designed to maximize the opportunity for students to develop the positive values of self-reliance, self-motivation, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.

Charter Schools (E.C. sections 47600-47663; 5 CCR 11963)

Charter Schools are governed by the Education Code, but free of most of the code's restrictions. The two main forms of charter schools are classroom-based or non-classroom-based instruction. Non-classroom-based instruction, commonly referred to as "independent study," takes place primarily at home or outside the traditional classroom-based school setting.

Private Schools.

Children may be instructed in a private full-time day school by persons qualified to teach in the State of California (E.C. sections 33190 and 33195). Private schools are selected and paid for by the student's parents.

Mentally Gifted Students (E.C. section 48223)

Children who are mentally gifted may be taught in a private full-time day school by persons qualified to teach in the State of California. Parents bear the costs of such schools.

Private Tutors (E.C.§ 48224)

As an alternative to a private school, children may be instructed by a private tutor, who must hold a valid state credential for the applicable grade level. Parents and tutors are selected and paid for by student's parents.

Homeschooling

Homeschooling in California is either performed by a parent who files a private school affidavit, a parent who qualifies as a private tutor, or untrained parents who simply teach their child at home.

STUDENT MISCONDUCT AND DISCIPLINE

The Obligations of a Student While at School (5 CCR 300)

Every student must:

- Attend school punctually and regularly;
- Conform to the regulations of the school;
- Obey promptly all the directions of his teacher and others in authority;
- Observe good order and propriety of deportment;
- Be diligent in study; respectful to his/her teacher and others in authority; kind and courteous to schoolmates; and refrain entirely from the use of profane and vulgar language.

Teachers Are Required to Hold Students to Strict Account for Misconduct (E.C. section 44807)

Every teacher must hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. Teachers may exercise that amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

Rules of the District Pertaining to Student Discipline (E.C. section 35291)

Student discipline is regulated by the California legislature and by board policy and procedures. The student discipline rules are detailed and exhaustive. Their purpose is to give school officials the legal authority to impose student discipline and also provide accused students with due process. The pertinent information is available either on line or hard copies can be provided.

Prohibited Behavior (E.C. section 48900 and following)

If a student engages in prohibited behavior, in addition to other forms of corrective action, he/she may be disciplined, including in school suspension, suspension from school and expulsion from the school district, depending on the circumstances.

Prohibited behavior includes volitional conduct amounting to or related to: assault, battery, threat, alcohol, drugs including Soma, firearms, knives, explosives, other dangerous objects, drug paraphernalia, robbery, extortion, destruction of property, stealing, receiving stolen property, tobacco, obscene acts, habitual profanity, disrupting school activities, defying the valid authority of teachers, administrators, or other school personnel, possessing an imitation firearm, sexual battery, sexual assault, intimidation of student witnesses, hazing, bullying sexual harassment, hate violence, harassment, intimidation and terroristic threats.

Classroom Correction and Non-Punitive in School Correction Preferred When Appropriate (E.C. sections 48900.5, 4800.6 and 48900.9)

Other means of correction are always preferred over in-school suspension, suspension from school, expulsion and any other form of exclusionary discipline that results in a pupil being removed from his/her regular classroom.

Suspension from School (E.C. section 48911)

A school principal (or the principal's duly assigned designee or the superintendent) may suspend a pupil from school for any conduct prohibited by Section 48900. The maximum duration of any single suspension is five school days.

Expulsion from the School District (E.C. section 48918)

When appropriate, the governing board may expel a student from the school district for any conduct proscribed by the Education Code, except 48900(k) disruption/defiance. The student is entitled to a hearing and due process. If expelled, the student is to receive a Rehabilitation Plan and a copy of the procedures to apply for readmission to the district.

Discipline of a Disabled Student Who Is Eligible for Special Education Pursuant to IDEA or Section 504 (E.C. section 48915.5 and 20 USC 1415(k))

Federal law governs the authority of school districts to suspend and expel disabled children from school. If the misconduct is a manifestation of the student's disability, after 10 days of suspension, the student must be returned to the pre-suspension placement unless his/her IEP team and parents agree otherwise. A disabled student may not be expelled for misconduct which is a manifestation of the student's disability.

Student Searches (*New Jersey v. T.L.O.* (1985) 469 U.S. 325)

A warrant or probable cause is not necessary for searches of students by school officials and the level of suspicion to justify the search need not rise to the level of probable cause. Rather, such a search by school officials must be:

- Justified in its inception - it must be reasonable to suspect the items searched contain evidence of prohibited conduct;
- Reasonably related in scope to the circumstances which justified the search in the first place. That is, the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Law Enforcement Notification (E.C. section 48902)

The Education Code requires that the school principal to notify law enforcement in cases of student misbehavior involving:

- Assault with a deadly weapon or other instrument;
- Assault by means of force likely to produce serious bodily injury;
- Use, possession or sale of drugs and alcohol;
- Arranging for the sale of a substance represented to be drugs or alcohol;
- Possession of a firearm within a school zone;

- Possession of other weapons such as dirks or daggers at school; and
- Possession or furnishing of a firearm or an explosive at school.

Release of a Student to a Peace Officer (E.C. section 48906)

If a school official releases your student from school to a peace officer for the purpose of removing him/her from the school premises, the school official will take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or responsible relative that the child is in custody and the place where the child is being held, unless the child would be endangered by disclosure of the place.

Property Damage or Personal Injury - Parents Liable (E.C. section 48904(a) and Civil Code section 1714.1)

Parents are liable for property damage or personal injuries caused by their child's willful misconduct in an amount up to \$25,000.00.

Damaged Library Materials - Parents Liable (E.C. section 19910)

The parent or guardian of a minor who willfully and maliciously cuts, tears, defaces, breaks, or injures any book, map, chart, picture, engraving, statue, coin, model, apparatus, or other work of literature, art, mechanics, or object of curiosity, deposited in any public library, gallery, museum, collection, fair, or exhibition is liable for all damages so caused by the minor.

Over Due Library Materials - Parents Liable (E.C. section 19911)

The parent or guardian of a minor who willfully and maliciously detains any book, newspaper, magazine, pamphlet, manuscript, or other property belonging to any public or incorporated library, reading room, museum, or other educational institution, for 30 days after notice in writing to return the article or property, given after the expiration of the time for which by the rules of the institution the article or property may be kept, is liable for all damages so caused by the minor.

Withholding Grades, Diploma, or Transcript (E.C. section 48904(b))

When your child willfully damages school property or if school property is loaned to your child and he/she refuses to return it when due, grades, diplomas and transcripts may be withheld. A voluntary work program in lieu of the payment of money may be arranged.

Attendance by Parent for a Portion of the School Day (E.C. 48900.1)

If your student willfully defies the authority of his/her teacher, disrupts classroom activity, commits an obscene act or habitually uses profanity or vulgarity, you may be required to attend school with your student for a portion of the school day.

Dress Code or Uniforms (E.C. section 35183(d))

Student Sexual Harassment (E.C. section 231.5; 5 CCR section 4917)

The district takes allegations of sexual harassment seriously. Students in grades 4 through 12 may be suspended or expelled for engaging in sexual harassment. A copy of the district's policy on student sexual harassment is enclosed for your review.

Social Media Monitoring (E.C. section 49073.6)

The district intends to and will collect data from pupils' social media, and may use such data in disciplinary actions involving students and/or district employees. The information gathered and/or maintained will pertain directly to school or student safety.

Pupils and their parents/guardians may inspect this information and request correction or deletion. The information will be deleted within one year of the pupil reaching the age of 18 or within one year of the pupil no longer being enrolled in the district, whichever comes first. The social media records of a pupil may be inspected by the pupil or the pupil's parent/guardian and corrections or deletion of the information may be requested. Requests to inspect a pupil's collected social media information, or to correct or delete the information, may be made to the principal or other site administrator who, within five school days, shall make the records available for inspection or respond to the request for correction or deletion of the information. Students and their parents/guardians also may have a district-level hearing to appeal the decision not to change or delete records.



Involuntary Transfer of a Student Convicted of a Violent Felony or Misdemeanor Where Victim Enrolled at Same School (E.C. section 48929)

Pursuant to Board Policy, a student perpetrator who has been convicted of a violent felony or a misdemeanor involving a firearm may be involuntarily transferred to another school site if the victim of the offense is enrolled at the same school as the perpetrator. District policy provides that (i) the school first attempt to resolve their conflict using restorative justice or counseling, if the victim will participate; (ii) the student perpetrator be notified of his/her right to request a meeting with the school principal

before the principal makes a recommendation; (iii) the Superintendent or his/her designee make a recommendation to the governing board; and (iv) the board deliberate in closed session as may be necessary to maintain the confidentiality of student information. The board's decision will be final.

STUDENT SERVICES

Services to Disabled Pupils (E.C. section 56020 and following, 56301; 34 CFR 104.36)

If you have reason to believe that your child (ages 0 through 21 years) has a disability which requires special services or accommodations, bring this to the attention of the school office. You may request an assessment for eligibility for special education instruction or services through the school principal. Your child will be evaluated to determine whether he/she is eligible for special instruction or services.

Any request for assessment must be made in writing and received by the District. If a request for assessment is made via e-mail, the request will be considered received by the District when the e-mail is opened.

You will be notified in writing of all district decisions regarding the identification, evaluation, or educational placement of your student if he/she has a disability or suspected disability. All such notifications will include a statement regarding procedural safeguards, including but not limited to your rights to (1) examine relevant records, (2) have an impartial hearing with an opportunity for participation by you and your counsel, and (3) a review procedure.

Prospectus of School Curriculum (E.C. sections 49063, 49091.14)

The curriculum of every course offered by the schools of the district is compiled annually by each school in a prospectus which contains the titles, descriptions, and instructional aims of every course offered by each school. Each school prospectus is available for review upon request at each school site.

Pupil Nutrition/Notice of Free and Reduced Meal Prices (E.C. sections 49510-49520; 42 USC 1758 and 1773)

Your child may be eligible for free and reduced meal prices. The application form and related information will be distributed to all parents at the beginning of each school year and is available to students at all times during the school day.

Fingerprinting (E.C. section 32390)

Districts are authorized to offer fingerprinting programs for children enrolled in kindergarten or newly enrolled in the district. If the district has adopted such a program, on your child's initial enrollment you will be notified of procedures, any applicable fee, and your right to decline your child's participation.

HEALTH AND SAFETY SERVICES

Immunizations (E.C. sections 49403, 48216; Health and Safety Code sections 120335, 120365, 120370; 17 CCR 6020 and 6051)

Unless certain exemptions apply, your child must have proof of up-to-date immunizations before he/she can be admitted to attend school. Please contact **[name and number]** for information about a personal beliefs exemption or medical exemption from immunizations for your child.

If prior to January 1, 2016, a student's parent/guardian files with the district a letter or written affidavit stating that an immunization is contrary to his/her personal beliefs, then the student is exempted from the immunization until he/she enrolls in the next applicable grade span requiring immunization. The grade spans are: birth to preschool; grades K-6; and grades 7-12. Otherwise, all students entering pre-school, kindergarten or the 7th grade are required to comply with the Health and Safety Code school immunization requirements.

Special education students may nevertheless access special education and related services as required by the student's IEP.

If a student's parent/guardian files with the district a written statement by a licensed physician to the effect that the physical condition of the student is such, or medical circumstances relating to the child are such, that immunization is not considered safe, then the student may be exempt from the immunization requirements. The statement must indicate the specific nature and probable duration of the medical condition or circumstances including, but not limited to, family medical history, for which the physician does not recommend immunization.

Students with a timely filed exemption are allowed continued enrollment to the next grade span. However, if it is determined that a child has been exposed to one of the 10 diseases named in the immunization requirements and does not have proof of immunization, the child may be temporarily kept out of school.

State law requires the following immunizations before your child can attend school:

VACCINE	REQUIRED DOSES
Polio	<p>4 doses at any age, but 3 doses meet requirement for ages 4-6 if at least one was given on or after the 4th birthday; 3 doses meet requirement for ages 7-17 years if at least one was given on or after the 2nd birthday.</p> <p>(Receipt of a dose up to, and including, 4 days before the birthday will satisfy the school entry immunization requirement.)</p>
Diphtheria, Tetanus, and Pertussis	<p>Age 6 years and under: [DTP, DTaP or any combination of DTP or DTaP with DT (diphtheria and tetanus)] 5 doses at any age, but 4 doses meet requirements for ages 4-6 years if at least one was on or after the 4th birthday.</p> <p>-----</p> <p>Age 7 years and older: [Tdap, Td, or DTP, DtaP or any combination of these] 4 doses at any age, but 3 doses meet requirement for ages 7-17 years if at least one was on or after the 2nd birthday. If last dose was given before the 2nd birthday, one more (Tdap) dose is required.</p> <p>(Receipt of a dose up to, and including, 4 days before the birthday will satisfy the school entry immunization requirement.)</p>
Measles, Mumps, Rubella (MMR)	<p>Kindergarten: 2 doses both on or after 1st birthday.</p> <p>(Two doses of measles-containing vaccine required. One dose of mumps and rubella-containing vaccine required. Receipt of a dose up to, and including, 4 days before the birthday will satisfy the school entry immunization requirement.)</p> <p>-----</p> <p>7th grade: 2 doses both on or after 1st birthday.</p> <p>(Two doses of measles-containing vaccine required. One dose of mumps and rubella-containing vaccine required. Receipt of a dose up to, and including, 4 days before the birthday will satisfy the school entry immunization requirement.)</p> <p>-----</p> <p>Grades 1-6 and 8-12: 1 dose on or after 1st birthday.</p> <p>(Receipt of a dose up to, and including, 4 days before the birthday will satisfy the school entry immunization requirement.)</p>
Hepatitis B	<p>3 doses at any age</p> <p>(Not required for 7th grade.)</p>
Varicella	<p>1 dose</p> <p>(Physician-documented varicella/chickenpox disease history or immunity meets the varicella requirement. 2 dose varicella requirement for ages 13-17 years applies to transfer students who were not admitted to a California school before July 1, 2001.)</p>
Tdap Booster (tetanus, reduced diphtheria, and pertussis)	<p>7th grade: 1 dose on or after 7th birthday.</p> <p>(Tdap, DTaP, or DTP given on or after 7th birthday will meet the requirement. Td does not meet the requirement. 8th-12th grade students transferring from outside of California must meet the requirement.)</p>

Control of Communicable Disease (E.C. section 49403)

The district cooperates with the local health office in the control and prevention of communicable disease in school-age children. If you consent in writing, the district may permit any person licensed as a physician and surgeon, or any person licensed as a registered nurse, to administer an immunizing agent to your child. You will be advised in writing before any immunization program is instituted.

Administering Medication and Monitoring Health Conditions (E.C. sections 49414.5, 49414.7, 49423, 49423.1; 5 CCR 600-611; *American Nurses Association v. Torlakson* (2013) 57 Cal. 4th 570)

The district recognizes that during the school day, some students may need to take medication prescribed or ordered by an authorized health care provider to be able to fully participate in the educational program. Upon your written request and with the approval of your child's authorized health care provider, together with a release by parents, foster parents, or guardians of civil liability for such self-administration, a student with a medical condition who requires frequent treatment, monitoring, or testing (including but not limited to diabetes and asthma) may be allowed to self-administer, self-monitor, and/or self-test. Your child must observe universal precautions in handling blood and other bodily fluids.

Any medication prescribed by an authorized health care provider, including an emergency anti-seizure medication for a student with epilepsy, may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received a written statement from you indicating your desire for the district to assist your child in taking the medication and a written statement from your child's authorized health care provider detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken. If the medication, dosage, frequency of administration, or reason for administration changes at some point in the year, you must provide a new written statement from your child's authorized health care provider.

When unlicensed personnel are authorized by law to administer a medication, such as emergency anti-seizure medication, epinephrine auto-injector, glucagon, or insulin, the Superintendent or designee will ensure that school personnel designated to administer it to students receive appropriate training from qualified medical personnel before any medication is administered. Additionally, such unlicensed personnel will be supervised by, and provided immediate communication access to, a school nurse or physician. In an emergency situation, such as a public disaster or epidemic, a trained, unlicensed district employee may administer medication to a student.

If your child is on a continuing medication regime for a non-episodic condition, you must inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician. Necessary medications

must be provided in properly labeled, original containers, along with the authorized health care provider's instructions. For prescribed or ordered medication, the container must have the name and phone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. With your consent, the school nurse or other designated employee, may communicate with your child's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student.

Use of Sunscreen Permitted (E.C. section 35183.5)

Students may carry and use sunscreen without a doctor's note or prescription, and may also wear sun-protective clothing.

Health Care Coverage Information (E.C. section 49452.9)

[Districts are required by this section to provide with their enrollment forms an informational item on health care coverage options and enrollment assistance. By August 1, 2015, the California Department of Education is to provide standardized forms for such notice and information on its website.]

The district has information on health care coverage options and enrollment assistance. If interested, please contact the school office for this information.

Physical Examinations (E.C. section 49451; 20 USC 1232h)

Physical examinations and screenings may be conducted at various times throughout the year. Those approximate times are as follows: ***[insert times]***. If you want your child to be exempt from physical examinations at school, file a written statement signed by you with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist.

Dental Fluoride Treatment (Health and Safety Code section 104830)

Pupils may be provided the opportunity to receive topical application of fluoride or other decay-inhibiting agent to their teeth. Parents/guardians or eligible pupils should submit a written request for this treatment.

Medical and Hospital Services (E.C. section 49472)

The district is required by law to provide you with written notice if it does not provide medical or hospital coverage for injuries arising from student participation in athletic

events. **THIS IS YOUR NOTICE.** The district does not provide insurance on individual students. However, through the district you may purchase accident insurance covering your child for medical and hospital services. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of his/her attendance during a regular school day of the district, or while being transported by the district to and from school or other place of instruction, or while at any other place as an incident to school-sponsored activities and while being transported to, from, and between those places. This coverage may not apply to specified sports (such as tackle football). Contact the district for clarification.

[For members of SISC II - Property & Liability, or other provider of the same student coverage, use the following language.]

The district provides coverage for immediate medical and surgical treatment of bodily injuries to a regularly enrolled student resulting from an accident occurring on school grounds or other facilities being used in the district's educational programs or during transportation to and from those places. This includes field trips and all interscholastic athletic competitions with the exception of tackle football. Coverage may be applicable for up to 52 weeks following the accident, with a limit of \$2,500, and the coverage applies for expenses that exceed the limit of, are less than the deductible of, or are simply not covered by, other insurance available to the student.

Scoliosis Screening (E.C. section 49452.5)

If your child is enrolled in grades 7 through 12 and is suspected of having curvature of the spine, please notify the school office. The district may screen female students in grade 7 and male students in grade 8 for the condition known as scoliosis. If the initial screening indicates the student may have scoliosis, additional screening may be required. You may request in writing that your student not be screened. If your child is identified at school as having this condition, you will be notified in accordance with the law.

Sight and Hearing Test (E.C. section 49452)

The district is required to provide for testing the sight and hearing of each student enrolled in its schools unless you submit a written denial of consent.

Information for Use in Emergencies (E.C. section 49408)

For protection of your child's health and welfare, we ask that you fill out and return the enclosed Emergency Information Card.

[Design and use your own form.]

Confidential Medical Services Without Parental Consent (E.C. section 46010.1)

[Per E.C. section 46010.1, this notification must be given to students as well. We advise that the required notification be in a student handbook. Further, this is a sensitive topic. Consult legal counsel regarding your district's practices.]

According to the law, school authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parents.

Management Plan for Asbestos-Containing Material (40 CFR 763.84, 40 CFR 763.93)

A complete, updated management plan for asbestos-containing material in school buildings is available at each school office.

Pesticide Warnings (E.C. sections 17612, 48980.3)

The district has implemented an integrated pest management program designed to effectively control pests using a combination of techniques. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment may be used according to established regulations and treatment thresholds.

Pursuant to the Healthy Schools Act of 2000, the district is required to notify staff and parents of the name of all pesticide products expected to be applied at the school facility during the upcoming year. Those products are as follows:

<u>Product Name</u>	<u>Active Ingredient</u>	<u>Pest Treated</u>
A.		
B.		
Etc.		

If you wish to receive notification of individual pesticide applications at the school facility, please complete the attached registration form. **[Attach form.]** You will receive notification at least 72 hours prior to the application.

Information regarding pesticide information may be obtained at the California Department of Pesticide Regulation website: <http://apps.cdpr.ca.gov/schoolipm/>

School Safety Plans (E.C. section 32280 and following)

Each school site has established a Safety Plan. Details of the Safety Plan are available to the public through the district office on request, and copies are provided to local law enforcement.

School Buses and Passenger Safety (E.C. section 39831.5)

[Districts are required to provide safety rules and information, a list of stops, rules of conduct, red light crossing instructions, and bus danger zones to all new students. Describe that information here.]

Sex Offender Information: "Megan's Law" (Penal Code section 290.4)

The California Department of Justice operates a website that lists designated registered sex offenders in California. The district does not disseminate this information but you may visit <http://www.meganslaw.ca.gov> to learn more and find helpful information for you and your family.

Tobacco-Free Schools/No Smoking Policy (Health and Safety Code section 104420)

The district's governing board recognizes that the health hazards associated with smoking and the use of tobacco products, including breathing second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff. The law requires that all recipients of any state and/or federal grant or contract maintain tobacco-free school sites.

Use of tobacco products at any time by students, staff, parents, or visitors, is strictly prohibited in district-owned or leased buildings, on district property, and in district vehicles. This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Prohibited products include any product containing tobacco or nicotine,

including but not limited to cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for use or possession of prescription nicotine products.

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate. Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may direct the person to leave school property, request local law enforcement assistance in removing the person from school premises, and/or prohibit him/her from entering district property for a specified period of time.

Concussion/Head Injury During Athletic Activity (E.C. section 49475)

[Districts offering an athletic program, other than those conducted during the regular school day or as part of a physical education course, must annually provide a concussion and head injury information sheet to students and parents and must require that the sheet be signed and returned by the student and his/her parent before the student starts practice or competition. The CIF provides a sample information sheet in both English and Spanish to meet the notification requirement. The information sheet can be found in both English and Spanish at:

<http://www.cifstate.org/index.php/the-latest-news/concussions>

The district offers an athletic program in which your child may wish to participate. By law we must provide you with information regarding concussions and head injuries. Please review with your child the attached information sheet about concussion and head injuries. You and your child must sign and date the sheet where indicated and return it to your child's school prior to your child beginning practice or competition in our athletic program.

PARTICULAR EDUCATION ISSUES

Comprehensive Sexual Health Education, HIV Prevention Education, and Assessments Related to a Student's Health Behaviors and Risks Including Attitudes Concerning or Practices Relating to Sex (E.C. sections 51934-51939)

A parent or guardian of a pupil has the right to excuse their student from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a written "opt-out" process. You may opt out by so advising the district in writing.

The written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education are available for inspection.

Comprehensive sexual health education or HIV prevention education may be taught by school district personnel or by outside consultants.

You may request a copy of Education Code sections 51934-51939.

If arrangements for this instruction are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification, no fewer than 14 days before the instruction is delivered.

Anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex, may be administered to any pupil in grades 7 to 12, inclusive. A parent or guardian has the right to excuse their child from the test, questionnaire, or survey through a written "opt-out" process. You may opt out by so advising the district in writing.

You will be notified in writing if and when such a test, questionnaire, or survey is to be administered.

You have the right to review the test, questionnaire, or survey.

If the school has received a written request from the student's parent or guardian excusing the pupil from participation in comprehensive sexual health education, HIV prevention education, and assessments related to that education, the student may not attend any class in comprehensive sexual health education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks.

A pupil may not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent or guardian declines to permit the pupil to receive comprehensive sexual health education or HIV prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks.

While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to pupils whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey.

Health Instruction Conflicting with Religious Training and Beliefs of Parent or Guardian (E.C. section 51240)

Upon written request, a parent or guardian has the right to excuse their student from any part of a school's instruction in health that may conflict with their religious training and beliefs or personal moral convictions.

Assessments Containing Questions About a Student's Personal Beliefs or Those of His/Her Family (E.C. section 51513; 20 USC 1232h)

No test, questionnaire, survey, or examination containing any questions about a student's personal beliefs or practices in sex, family life, morality, and religion, or any questions about the pupil's parents' or guardians' beliefs and practices in sex, family life, morality, income, political affiliations and religion may be administered unless:

- The parent or guardian of the pupil is notified in writing that this test, questionnaire, survey, or examination is to be administered; and
- The parent or guardian of the pupil gives written permission for the pupil to take the test, questionnaire, survey, or examination.

Statewide Pupil Assessment Program (E.C. sections 60604 and 60615; 5 CCR 852)

The California Assessment of Student Performance and Progress (CAASPP) is a statewide assessment program that tests the degree to which pupils are achieving the academically rigorous content and performance standards, adopted by the state board, that reflect the knowledge and complex skills that student will need in order to succeed in the information-based, global economy of the 21st century.

A parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of the test for the school year. Such a request will be granted.

Right to Refrain from Harmful Use of Animals (E.C. sections 32255-32255.6)

Your child may participate in a course during this year that utilizes live or dead animals or animal parts to help your child obtain knowledge, information, or experience required in the course. If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with him/her to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the course. The school will need a signed note from you indicating your child's objection.

Homeless Youth Education (42 U.S. 11432)

[The law requires school district homeless liaisons to ensure parents of homeless students are informed of educational and related opportunities available to their

children and are provided with meaningful opportunities to participate in education of their children. Additionally, district liaisons for homeless students must ensure that public notice of the rights of homeless students is disseminated in all district schools that provide services to homeless students per federal law. Notification may address: (1) liaison contact information; (2) circumstances for eligibility (e.g., living in a shelter, a motel, hotel, etc.); (3) right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers; and (4) right to education and other services.]

Homeless students and their parents have various rights regarding public education. Information on this subject is explained in the school district's Education for Homeless Children Policy BP/AR 6173.

Minimum Days or Pupil Free Staff Development Days (E.C. section 48980(c))

[If your district's, or a particular school's, schedule for these days is known in time for this Notice, include them in this Notice. It is suggested you provide a calendar to satisfy this requirement. Otherwise, the law requires at least one month's prior notice of the dates.]



LIMITED ENGLISH PROFICIENT STUDENTS AND AVAILABLE LANGUAGE ACQUISITION ISSUES

English Learners/Available Language Acquisition Programs (E.C. section 310(b)(2))

If your child is an English learner, he/she may be offered English language development instruction targeted to their English proficiency level and designed to ensure English acquisition as rapidly and effectively as possible. Such programs are designed to be aligned with the state content standards and curriculum framework. They are based on sound instructional theory, use standard-aligned instructional materials, and will assist students in accessing the full educational program. A teacher who is assigned to provide either English language development, specially designed academic instruction in English, and/or primary language instruction to English learners, must hold an appropriate authorization from the California Teaching Commission. The district's language acquisition programs for grades K-3 comply with class size requirements.

Parents/guardians of English learners may choose a language acquisition program that best suits their child. The district may offer one or more of the following language acquisition programs:

(1) A dual-language immersion program which provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

(2) A transitional or developmental bilingual program for English learners, which provides instruction to pupils that utilize English and a pupil's native language for literacy and academic instruction and enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order skills, including critical thinking, in order to meet state-adopted academic content standards.

(3) A structured English immersion program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for pupils who are learning English.

An English learner may transfer to an English language mainstream classroom when he/she has developed the English language skills necessary to succeed in an English-only classroom is reclassified as fluent English proficient.

SCHOOL RECORDS AND ACHIEVEMENT

Pupil Records/Notice of Privacy Rights of Parents and Students (E.C. sections 49060, 49061, 49062, 49063, 49064, 49068, 49069, 49070, 49073, 49076, 49077; 20 USC 1232g; 20 USC 1232h; 34 CFR 99.3; 34 CFR 99.7; 34 CFR 99.30; 34 CFR 99.31; 34 CFR 99.33; 34 CFR 99.34; 34 CFR 99.35)

With certain exceptions, pupil records are confidential and will not be disclosed without your consent. If you have completed and signed a Caregiver's Authorization Affidavit for the purpose of enrolling a minor student in school, you have the right to access the student records of the child for whom you provide care. If you are 14 years old or older and are identified as both homeless and an unaccompanied youth, you may access your student records without parental consent.

Pupil records are any items of information (in handwriting, print, tape, film, microfilm, or other medium) that are directly related to an identifiable student, other than "directory information," and are maintained by the district or required to be maintained by an employee in the performance of his/her duties. Pupil records include the student's health record. District officials responsible for maintaining your child's records are as follows: ***[Al Quezada / Shawna Taylor]***.

When your child enrolls or intends to enroll in another district, agency, or institution, we will forward his or her records to that district, agency, or institution within 10 school

days of receiving a request as long as the disclosure is for purposes related to the student's enrollment. Various original records or copies of those records shall be retained permanently by the district.

Additionally, your child's records may be shared with school officials and employees of the District, and other persons connected with the District who have a legitimate educational interest, or other legally authorized purpose, and who may need your child's records to perform his or her tasks. "School officials and employees" are individuals whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require that they have access to student records. A "legitimate educational interest" is an interest held by a school official, employee, or person outside the district, as further defined here and in board policy, whose duties, responsibilities or contractual obligations to the district, whether routine or as a result of special circumstances, require him/her to have access to student records. Persons outside the district who may have access to particular records that are relevant to their legitimate educational interest, or other legally authorized purpose, include those with a formal written agreement or contract with the District regarding the provision of services or functions outsourced to him/her by the District, including: contractors, consultants, insurance carriers, claims adjusters, accountants, attorneys, investigators, or other parties to whom the District has outsourced institutional services or functions, including third-party vendors and service providers who provide online educational software and/or services that are part of the district's educational program or who manage certain data stored in a secure cloud computing or web-based system for the district. The district uses the following outside vendors and may contract in the future to add similar products or services:

For additional information, please see E.C. section 49076 and 34 Code of Federal Regulations section 99.1 and following, or contact **Al Quezada, Superintendent**, or the Family Policy Compliance Office, U. S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605.

Pursuant to E.C. section 49064, a log or record must be maintained for your child's records listing all persons, agencies, or organizations requesting or receiving information from the records and legitimate interests for that information. This log can be inspected at **Midway School**.

As a parent, you have a right to inspect and review your child's school records, including records possessed by a vendor under contract with the district to provide online services or products, and also including any information about your child collected from social media if the district is operating a social media collection program. To access individual student records, please contact your child's school. You also have a right to challenge the contents of your child's records, have an administrator assist you in interpreting the records, request amendment to ensure they are not inaccurate, misleading, or otherwise in violation of your child's privacy rights, seek expungement of those records, have a district-level hearing to appeal the decision not to change records,

and file a complaint with the state and/or United States Department of Education if the district fails to comply with state and federal law with regard to your child's records. If your child's records include information concerning any disciplinary action taken in connection with your student, you have the right to include in the record a written statement or response concerning the disciplinary action. To review policies related to the review and/or expungement of your child's records, please contact your child's school. You also have the right to inspect all instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any applicable program. If you would like a copy of your child's records.

Release of Pupil Directory Information (E.C. sections 49061(c)), 49070, 49073, 51938; 34 CFR 99.37; 20 USC 7908; 20 USC 1232h)

*[Parents must be annually notified of the categories of information which the district plans to release and to whom they may be given. District policy must conform to this notification and must set forth what information is considered "directory information." **The following definition does not include a student likeness, video or photograph, but you may include such if the district considers such information to be included, as where students' pictures are placed on the district website.** Parents must be given the opportunity to request in writing that this directory information be withheld.]*

With certain exceptions, the law requires that the District obtain your written consent prior to disclosure of personally identifiable information from your child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless you have advised the District that you do not wish this information to be released in accordance with District procedures. The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school and/or district publications. Outside organizations to which directory information may be disclosed include but are not limited to companies that sell class rings, school photography, graduation attire, and/or publish school yearbooks; news media; including but not limited to newspapers, magazines, and radio and television stations; nonprofit organizations; military recruiters; employers; and institutions of higher education.

Directory information is defined by District policy as information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information may include a student's name, address, phone number, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees and awards received, and the most recent previous school attended by the student.

By law, the District must give notice to parents of the District's decision to release designated directory information, and must allow a parent to inform the District in writing that any or all of the information designated as directory information should not be released without parent consent. **THIS IS YOUR NOTICE.** If you do not want

directory information about your student to be disclosed without your written consent, you must inform your child's school within thirty (30) days from the date of receiving this notification.

Directory information regarding a student identified as a homeless child or youth will not be released unless a parent, or student accorded parental rights, has provided written consent that directory information may be released.

School Accountability Report Card (E.C. section 35256)

The School Accountability Report Card is available on request and is accessible at the following website: ***Midwayschooldistrict.org***. This contains information regarding the quality of the district's programs and its progress toward achieving stated goals.

COMPLAINTS

Uniform Complaint Procedures (E.C. sections 32289 and 52075; 5 CCR 4600-4670)

[The district is not required to include its entire complaint procedure, but it is often advisable. A condensed version will suffice as long as it includes the items listed below (offered as a sample). Include the information from the district's procedure and consult with the person designated to process the complaints.]

The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The district will investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, intimidation, or bullying in accordance with the district's uniform complaint procedures. The district has adopted a uniform complaint policy and procedures for use when addressing complaints alleging unlawful discrimination, harassment, intimidation, or bullying in district programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in E.C. sections 200 or 220, Penal Code section 422.55, or Government Code section 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

Uniform complaint procedures will also be used to address any complaint alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. Except where specifically authorized by statute, **a student enrolled in a public school cannot be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.** The uniform complaint procedures

will also be used to address any complaint alleging the district's failure to comply with the requirements for development and adoption of a school safety plan, state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, special education programs, any complaint alleging retaliation against a complainant or other participant in the complaint process, and any alleged failure of the district to comply with the requirements of the Local Control and Accountability Plan (LCAP). (The board is required to adopt and annually update an LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.)

The Uniform Complaint Policy may also be used to help identify and resolve noncompliance with laws related to accommodations for lactating students, educational rights of foster youth and homeless students, assignment of students to courses without educational content, and any failure to provide physical education instruction for at least 200 minutes every 10 days.



The district has designated the following person as the compliance officer responsible for receiving complaints under the uniform complaint policy and procedures: ***[Al Quezada 661-768-4344]***. Complaints made under this procedure must be directed to the compliance officer.

You can obtain a copy of the district's Uniform Complaint Policy and Procedures free of charge from the compliance officer. Complaints alleging retaliation, unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date the behavior occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged retaliation, discrimination, harassment, intimidation, or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reason for the extension. The complaint review will be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges must be filed no later than one year from the date the alleged violation occurred and may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

A complainant may appeal the district's decision to the California Department of Education ("CDE") by filing a written appeal within 15 calendar days of receiving the district's decision. The appeal must include a copy of the complaint filed with the district and a copy of the decision. The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district. A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include but are not limited to injunctions and restraining orders. For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief or to discrimination complaints based on federal law.

Complaints Regarding Textbooks and Other Instructional Materials, Teacher Vacancies or Mis-assignment and the Condition of School Facilities (E.C. sections 17592.72, 35186, 35292.5; 5 CCR 4680-4687)

The District has a complaint process specifically designed to help identify and resolve insufficiencies related to textbooks and other instructional materials, teacher vacancies or mis-assignment and the condition of school facilities. The complainant is entitled to an investigation and a response from the district. Additionally, such complaints may be filed anonymously.

Complaints Regarding Employees

The district also has a process which permits the public to submit complaints against district employees in an appropriate and expeditious way which protects the rights of involved parties and holds employees accountable for their actions without disrupting the educational process.

Complaints Regarding Discrimination and the Education of Disabled Students (Section 504 of the Rehabilitation Act of 1973, Title VI Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972; 34 CFR 104.8 and 34 CFR 106.9)

The district is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

You have certain rights under the law, including Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national origin, Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex, Section 504 of the Vocational Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA), which prohibit discrimination on the basis of disability. The California Department of Education and the Office for Civil Rights of the U. S. Department of Education have authority to enforce these laws and all programs and activities that receive federal funds. Complaints or inquiries regarding compliance with Section 504 or Title II of the Americans with Disabilities Act may be directed to the District Section 504 Coordinator (**Al Quezada 661-768-4344**) or to the Director of the Office for Civil Rights, U.S. Department of Education, Washington, DC.

Complaints of unlawful discrimination are investigated through the uniform complaint process. For a complaint form or additional information, please contact: **[Al Quezada 661-768-4344]**.

Safe Place to Learn Act (E.C. sections 220, 221.5, 234.1)

[The Safe Place to Learn Act requires that each district posts its nondiscrimination policy in all schools, offices, staff lounges, and student government meeting rooms. It is also advised that this policy be posted on the district's website and distributed with the Annual Notice. If 15 percent or more of a school's students speak a single primary language other than English, the nondiscrimination policy, related complaint procedures, and all complaint forms must be translated into that other language. An optional paragraph regarding the rights of transgender and gender nonconforming students is included below.]

The district is committed to providing a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, facilities, and activities. At any school or school activity, the district prohibits unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Students who engage in discrimination, harassment, intimidation, bullying, or retaliation will be disciplined. For copies of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies or to file a complaint regarding a violation of these policies using the uniform complaint procedures form, please contact the district's Coordinator for Nondiscrimination **[Al Quezada 661-768-4344]**.

Each student is permitted to participate in sex-segregated school programs and activities and access facilities consistent with his/her gender identity, irrespective of the

gender listed on the student's records. To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students, the district will address each situation on a case-by-case basis in accordance with law and board policy. If any student believes his/her privacy or religious beliefs and/or practices require increased privacy he/she may contact the district's Coordinator for Nondiscrimination ***[insert name and phone number]***.

MISCELLANEOUS

Local Control and Accountability Plan (E.C. sections 52060-52077)

[E.C. section 52075 requires districts to include information about the legal requirements related to the Local Control and Accountability Plan in their Annual Notice.]

The district is required to adopt a three-year Local Control and Accountability Plan (LCAP) and to update the LCAP on or before July 1 of each subsequent year. The LCAP is required to identify annual goals, and specific actions geared toward implementing those goals, and must measure progress for student subgroups across multiple performance indicators based on eight priorities set by the state. The priorities must be aligned to the District's spending plan. The LCAP must be approved before the annual district budget can be adopted. Once the budget and the LCAP are adopted at the local level, the plan will be reviewed by the county superintendent to ensure alignment of projected spending toward goals and services. The following are the eight state priorities:

1. Providing all students access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities;
2. Implementation of and student access to state academic content and performance standards;
3. Parent involvement and participation;
4. Improving student achievement and outcomes along multiple measures;
5. Supporting student engagement;
6. Highlighting school climate and connectedness;
7. Ensuring all students have access to classes that prepare them for college and careers; and
8. Measuring other important student outcomes related to required areas of study.

The board of education is required to establish a parent advisory committee (PAC) and

English learner parent advisory committee (ELPAC) to provide advice to the board of education and the superintendent regarding the LCAP. (ELPACs are required if enrollment in the district includes at least 15 percent English learners and the district enrolls at least 50 pupils who are English learners. Districts are not required to establish a new ELPAC if an English learner parent committee has already been established). PACs must include parents or legal guardians of low income students, English learner students, and foster youth.

Each district is required to consult with its teachers, principals, administrators, other school personnel, local bargaining units, parents, and pupils in developing the LCAP. As part of this consultation process, districts must present their proposed plans to the PAC and ELPAC. The advisory committees can review and comment on the proposed plan. Districts must respond in writing to the comments of the PAC and ELPAC. Districts are also required to notify members of the public that they may submit written comments regarding the specific actions and expenditures proposed in the LCAP.

Districts must hold at least two public hearings to discuss and adopt (or update) their LCAPs. The district must first hold at least one hearing to solicit recommendations and comments from the public regarding expenditures proposed in the plan and then adopt (or officially update) the LCAP at a subsequent hearing.

Districts are required to post the LCAP approved by the board of education, and any updates or revisions to the LCAP, on the district's website, and establish policies for filing a complaint of noncompliance under E.C. section 52075 using the uniform complaint procedures. Information regarding the requirements for the LCAP and the complaint process must be provided to pupils, parents/guardians, and employees on an annual basis.

Miscellaneous Parental Rights (E.C. section 49091.10)

The Education Empowerment Act of 1998 establishes various rights for parents in addition to other rights identified in this Annual Notice. Your rights as a parent include the following:

Inspection of Instructional Materials: All primary supplemental instructional materials and assessments, including textbooks, teacher's manuals, films, audio and video recordings, and software shall be compiled and stored by the classroom instructor and made available promptly for your inspection in a reasonable time frame or in accordance with procedures determined by the district's governing board.

Observation of School Activities: You have the right to observe instruction and other school activities that involve your child in accordance with procedures determined by the district's governing board to ensure the safety of pupils and school personnel and to prevent undue interference with instruction or harassment of school personnel. Reasonable accommodation of parents will be considered by the district's governing

board. Upon written request, school officials will arrange for observation of a requested class or classes or activities in a reasonable time frame and in accordance with procedures determined by the district's governing board.

Consent for Evaluations: Your child may not be tested for a behavioral, mental, or emotional evaluation without informed written parental consent.

Affirmation or Disavowal of Beliefs: A pupil may not be compelled to affirm or disavow any particular personally or privately held world view, religious doctrine, or political opinion. The law does not relieve pupils of any obligation to complete regular classroom assignments.

Other Parental Rights

The rights of parents of district pupils include the following:

- a. To observe in your child's classroom (upon reasonable notice).
- b. To meet with your child's teacher and the school principal (upon reasonable notice).
- c. To volunteer your time and resources at the school.
- d. To be notified on a timely basis if your child is absent from school without permission.
- e. To be notified concerning your child's classroom and standardized test performance.
- f. To request a specific school and teacher and to receive a response from the district. (This does not obligate the district to grant the request.)
- g. To have a safe learning environment for your child.
- h. To examine curriculum materials of your child's class.
- i. To be informed of your child's progress and appropriate school personnel to contact in the event of problems.
- j. To access student records for your child.
- k. To receive information concerning expectations for student learning.
- l. To be informed in advance about school rules, policies, dress codes, and procedures for visiting the school.

- m. To receive information about any psychological testing of your child and to deny permission for such testing.
- n. To participate as a member of any school site councils or parental advisory councils at the school, in accordance with governing membership.
- o. To question, and receive an answer regarding, items in your child's record that appear inaccurate, misleading, or that invade privacy.

The Professional Qualifications of Your Student's Teacher(s) (34 CFR 200.61)

Federal law requires that the district tell you about your right to request information about the professional qualifications of your student's teacher(s). The same right extends to information about any paraprofessional assigned to work with your student.

You are entitled to ask for the following information:

- Whether the teacher has met state credential or license criteria appropriate to the grade level and subject matter in the class.
- Whether the teacher serves under an emergency permit or other provisional authorization.
- The baccalaureate degree, college major, and any other graduate certification or degree held by the teacher.
- Whether your student is provided services by a paraprofessional, and if so, that person's qualifications.

To submit a request for information about the qualifications of your student's teacher(s) or paraprofessional(s), please contact your student's school.

Technology, Use of the Internet and/or Online Sites and Online Advertising (20 USC 6777; 17 USC 3601; E.C. sections 35182.5, 49073.1)

[Districts that receive federal technology funding through the No Child Left Behind Act, or through the federal Erate program, must adopt an Internet safety policy that includes the operation and enforcement of a "technology protection measure" that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors. Parents should be made aware of this policy and the district's Acceptable Use Policy in the Annual Notice.]

The district provides Internet connections for many students during the educational day, and those Internet connections are filtered using a software program or programs

designed to eliminate access to visual depictions that are obscene, child pornography, or harmful to minors. While the filters are designed to prevent connections to such material, new websites and material are added to the Internet every day and the district is unable to ensure that each and every inappropriate website or all such material will be blocked.

The district provides technology to students in many educational programs, including computers or electronic devices such as tablets or iPads or similar devices, and also provides Internet access as required for an educational program. Student use of such technology is subject to an Acceptable Use Policy and Agreement which describes acceptable and unacceptable uses of both the Internet connections and the computers or devices. Acceptable uses include communications between teachers and students about class assignments and other classroom topics, and between students on cooperative or collaborative learning projects. During that communication, which may include the use of social media (such as a district-sponsored Facebook page or similar types of social media), personally identifiable information may be shared by your student with other students and the teacher. The district prohibits disclosure of such information outside the classroom assignment/environment but cannot ensure that recipients of the information will comply with the restrictions. Unauthorized disclosures may lead to disciplinary action. If you do not want your student to be subjected to the risk of unauthorized disclosure of personally identifiable information that is disclosed by your student in these classroom assignments/environment, you will have an opportunity to so declare when required to read and agree to the Acceptable Use Policy and Agreement for your student. Refusal to sign the Acceptable Use Policy and Agreement will prevent your student's participation in such educational programs and may require transfer of your student to a technology-free classroom or environment.

[Districts may adopt a "Bring Your Own Device" (BYOD) program permitting pupils to bring their personal electronic devices for use in the classroom. Due to the risks of such devices also containing miscellaneous software applications known to collect personally identifiable information from the device and from other devices to which it may be connected, we recommend use of the following section if the district is proposing or contemplating a "BYOD" program, as well as adoption of a BYOD agreement. If no such program is contemplated for the upcoming school year, the following section is not required.]

The district may also permit personal devices to be used at school, which is also regulated by the Acceptable Use Policy and Agreement. Students' use of their personal devices may involve unintentional disclosure of personally identifiable information about your student via non-district software programs (apps) your student has on the personal device, or which other students may have on their personal devices, some of which are known to collect and use personal information for purposes having nothing to do with the district's educational program. Your permission for your student to bring and use a personal device on campus will be the subject of a written

agreement and may be part of the Acceptable Use Policy and Agreement. Refusal to sign the Acceptable Use Policy and Agreement or other agreement will prevent your student's use of a personal device in such educational programs. If you do not consent to such disclosures via data collecting software present on the personal devices of other students, your student will not participate in such educational program and may be transferred to a technology-free classroom or environment.

[Districts are required to hold public hearings and give notice to parents relating to acquisition of any electronic products or services that will disseminate advertising to pupils. Districts may enter into such contracts at public hearings after making a finding that the product or service is an essential component of the educational program, that the district cannot afford the product or service unless the district permits the dissemination of advertising to pupils, provides notice to parents that the advertising will be used in the classroom or learning center, and offers parents an opportunity to opt out of their pupil's participation in the program. The parental request may be for a year or longer and may be withdrawn at any time.]

The district does not intend to subject students to any advertising and will take steps to prevent advertising that targets students based on the advertiser's use of personally identifiable information. However, due to financial constraints under which the district is otherwise unable to provide the product or service which the advertising accompanies or to which it is attached, the district may be required to permit some advertising that is not targeted at individual students. Any such product or service will have been found by the district to be an integral component of pupil education. Parents/guardians of students in these programs may request that their student not be exposed to this advertising and the district will comply. This means your student will not participate in the educational program but will be required to obtain the educational benefit via a different method if the district is unable to block or otherwise avoid the advertising being presented to your student.

The district is using or contemplates using third-party vendors of data storage/management products and services and educational software products and services from third-party vendors, including cloud-based services. Those products and services will include legally required contractual provisions, including requirements to maintain the confidentiality of pupil information and also including parental right to review pupil records and correct erroneous information.

[APPLICABLE TO ELEMENTARY, MIDDLE, AND JUNIOR HIGH SCHOOLS ONLY]

Kindergarten and First Grade Physical Examination (Health and Safety Code sections 323.5, 324.2, 324.3; E.C. sections 49450, 49452.8)

Good health, including good oral health, is important to your child's learning and successful academic career. State law requires that for each child enrolling in the first

grade, the parent must present a certificate signed by a physician verifying that the child has received a physical examination within the last 18 months. Likewise, state law requires that by May 31 of your child's first school year in a public school, proof of an oral health assessment by a licensed dentist must be presented. You may file with the district a written objection or waiver stating the reasons if you are unable to obtain such services. Your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. You may find it convenient to have your child immunized at the same time that the physical examination is conducted. These services may be available to you at no cost through the Child Health and Disability Prevention Program ("CHDP"). For information, you may contact **[Midway School 661-768-4344]**.

Vision Appraisal (E.C. section 49455)

The district is required to appraise each student's vision upon initial enrollment and in grades 2, 5, and 8, except that a student first enrolling in grade 4 or grade 7 will not be reappraised the following year. The appraisal will include tests for visual acuity and color vision; however, color vision will be appraised once and only on male students. The evaluation may be waived upon presentation of a certificate from a physician and surgeon, physician's assistant, or optometrist setting out the results of a determination of the student's vision, including visual acuity and color vision. The appraisal does not apply to a pupil whose parent/guardian files with the principal a written statement that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depend on prayer for healing in the practice of their religion.

Type 2 Diabetes (E.C. section 49452.7)

[Every district must provide an information sheet regarding Type 2 Diabetes to the parent of every incoming grade 7 student. It is recommended that this information sheet be included in the Annual Notice packet. Pursuant to the requirements of E.C. section 49452.7, the information sheet has been developed by the California Department of Education and can be located at:

<http://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>]