



**Monson-Sultana Joint Union Elementary School District**

10643 Avenue 416  
Sultana, California 93666  
(559) 591-1634 / Fax (559) 591-0717

July 25, 2016

Each year, public school districts in the State of California are required by Education Code section 48980, to "... annually notify students, parents, and guardians of their rights and responsibilities." In addition, Education Code 48982 requires that an acknowledgement of notification of these rights and responsibilities must be signed by the parent or guardian and returned to the school.

Much of this information is included in the Student and Parent Handbook. Please review the contents of the Parent Annual Notification Guide, and then complete the signature section below.

If you have any questions, please contact the School Office at (559) 591-1634, ext. 110.

**PLEASE COMPLETE THE SECTION BELOW, DETACH THIS PAGE AND RETURN IT TO THE SCHOOL WITH YOUR CHILD.**

**KEEP THE REST OF THE PACKET FOR YOUR RECORDS.**

**ONLY ONE SHEET PER FAMILY IS NEEDED**

**MONSON-SULTANA JOINT UNION ELEMENTARY SCHOOL DISTRICT  
Parent Acknowledgement of Notification of Rights and Responsibilities  
2016-17**

Parents: Please list each of your children below. Use the back of the page if more room is needed.

Student Name: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Grade: \_\_\_\_\_  
Grade: \_\_\_\_\_  
Grade: \_\_\_\_\_  
Grade: \_\_\_\_\_  
Grade: \_\_\_\_\_

Parent Acknowledgement:

I have been notified of my rights under Education Code 48980 and can access specific information contained in the Parent Annual Notification Guide. I sign this acknowledgement below on behalf of myself and the above named student(s).

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

**Monson-Sultana Jt Union Elementary School District**  
**Notice to Parents of Legal Rights**

The California Education Code 48980 requires that parents be notified each year of certain legal rights and responsibilities regarding their children's participation in school activities. The statements below summarize state law and serve as the official notification. Please check with the school principal if you have questions about a specific item.

**Please return the signed Acknowledgment Form by August 12, 2016** and retain this notice for your future reference. The law requires you to sign a form indicating you were provided this information. Your signature on the form is only to acknowledge that you received this notification. It does not indicate that you consent (or withhold consent) to any of the activities.

**GENERAL NOTIFICATIONS**

**§ 35256(c) ■ School Accountability Report Card**

*The governing board of each school district annually shall issue a School Accountability Report Card for each school in the school district, publicize those reports, and notify parents or guardians of pupils that a hard copy will be provided upon request. Commencing with the 2008-09 school year, each school district shall make hard copies of its annually updated report card available, upon request, on or before February 1 of each year.*

**§ 48070.5 ■ Promotion and Retention Policy**

The governing board of each school district and each county board of education shall adopt policies regarding pupil promotion and retention. The policy shall provide for parental notification, as early in the school year as practicable, when a pupil is identified as being at risk of retention.

**§ 49067(a) ■ Student in Danger of Failing a Course**

Parents/guardians will be notified when a teacher has determined that their child is in danger of failing a course.

**§ 48983 ■ Activities Calendar**

Any activity that will be undertaken by the school during the forthcoming school term, a notice or calendar shall state that fact and shall also state the approximate date upon which any of such activities will occur.

**ABSENCES**

**§ 48205 ■ Excused Absence: Justifiable Personal Reasons**

- (a) *Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:*
- (1) *Due to his or her illness.*
  - (2) *Due to quarantine under the direction of a county or city health officer.*
  - (3) *For the purpose of having medical, dental, optometrical, or chiropractic services rendered.*
  - (4) *For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.*
  - (5) *For the purpose of jury duty in the manner provided for by law.*
  - (6) *Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.*
  - (7) *For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, 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 or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.*
  - (8) *For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.*
  - (9) *For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in 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. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.*
- (b) *A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.*
- (c) *For the purposes of this section, attendance at religious retreats shall not exceed four hours per semester.*
- (d) *Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.*

(e) "Immediate family," as used in this section, has the same meaning as set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

A pupil may not have their grade reduced or lose academic credit for any absences excused pursuant to this section when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. The notice shall include the full text of Section 48205. (Ed. Code 48980(j))

#### **§ 46010.1 ■ Excused Absences for Pupils Obtaining Confidential Medical Services Without Consent of the Parent or Guardian**

*The governing board of each district shall, each academic year, notify pupils in grades 7 to 12 inclusive, and the parents or guardians of all pupils enrolled in the district, that school authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian.*

#### **§ 46014 ■ Absences for Religious Purposes**

*Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at their respective places of worship or at other suitable place or places away from school property designated by the religious group, church, or denomination, which shall be in addition and supplementary to the instruction in manners and morals required elsewhere in this code. Such absence shall not be deemed absence in computing average daily attendance, if all the following conditions are complied with:*

- (a) *The governing board of the district of attendance, in its discretion, shall first adopt a resolution permitting pupils to be absent from school for such exercises or instruction.*
- (b) *The governing board shall adopt regulations governing the attendance of pupils at such exercises or instruction and the reporting thereof.*
- (c) *Each pupil so excused shall attend school at least the minimum school day for his grade for elementary school, and as provided by the relevant provisions of the rules and regulations of the State Board of Education for secondary schools.*
- (d) *No pupil shall be excused from school for such purpose on more than four days per school month.*

*It is hereby declared to be the intent of the Legislature that this section shall be permissive only.*

### **ATTENDANCE OPTIONS**

#### **§ 48980(h) ■ Attendance Options**

The district shall advise the parent or guardian of all existing statutory attendance options and local attendance options available in the school district. That notification shall include all options for meeting residency requirements for school attendance, programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. That notification shall also include a description of all options, a description of the procedure for application for alternative attendance areas or programs, an application form from the district for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance.

#### **§ 48204(b) ■ Residency-Parent/Guardian Employment**

A school district may deem a pupil to have met residency requirements for school attendance if at least one parent or legal guardian of the pupil is physically employed within the boundaries of that district for a minimum of 10 hours during the school week, subject to the right of the district of residence or the district of employment to prohibit the transfer on various grounds provided for in Section 48204(b), paragraphs (2) to (6). The school district is not required to admit the pupil to its school based on the employment of the parent/guardian, but it may not refuse to admit the pupil on the basis of race, ethnicity, sex, parental income, scholastic achievement, or any other arbitrary consideration. Once a pupil has been deemed to have residency and is enrolled in the district based on the employment of the parent/guardian, the pupil does not have to reapply in the next school year to attend a school within that district, and the governing board shall allow the pupil to attend school through the 12th grade in that district if the parent or guardian so chooses and if at least one parent or legal guardian continues to be physically employed in the district, subject to the right of the district to disallow attendance as provided in Section 48204(b), paragraphs (2) to (6).

#### **§ 48204(a) ■ Parent and Student Living at Parent's Place of Employment for a Minimum of 3 Days During the School Week**

Parents may apply for enrollment of their child in a school district in which the parent is employed and where the parent and child live at the parent's place of employment for a minimum of 3 days during the school week. (Ed. Code § 48204(a)(7).)

#### **§ 58501 ■ Notice of Alternative Schools**

*The following notice shall be sent along with the notification of parents and guardians required by Section 48980:*

*California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to:*

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

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

*Further, a copy shall be posted in at least two places normally visible to pupils, teachers, and visiting parents in each attendance unit for the entire month of March in each year.*

## **COMPLAINTS**

### **5 CCR § 4622 ■ Uniform Complaint Procedures**

Each local educational agency shall annually notify in writing, as applicable, its students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, and other interested parties of their local educational agency complaint procedures, including the opportunity to appeal to the California Department of Education and the provisions of Title 5 of the California Code of Regulations commencing with section 4600. The notice shall include the identity (identities) of the person(s) responsible for processing complaints. The notice shall also advise the recipient of the notice of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal process pursuant to Education Code section 262.3. This notice shall be in English, and when necessary, in the primary language, pursuant to Section 48985 of the Education Code, or mode of communication of the recipient of the notice.

The school district maintains a uniform complaint procedure for investigating complaints regarding: (1) discrimination on the basis of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability; (2) violations of the laws and regulations governing consolidated categorical aid programs, Adult Education, Migrant Education, Career/Technical Education, Regional Occupational Centers and Programs, Child Development, Special Education, Nutrition services, school safety planning and Local Control Accountability Plans; (3) the imposition of pupil fees for participation in educational activities; (4) noncompliance with laws pertaining to homeless students and students in foster care; (5) the failure to accommodate lactating students; (6) failure to comply with physical education instructional minute requirements for elementary schools serving grades 1-8; and (7) educational content course requirements for grades 9-12. The school district has designated Chris Meyer, Superintendent/Principal, as the Compliance Officer to receive and investigate uniform complaints that fall within these categories and ensure compliance with the law. For more information concerning the filing of uniform complaints, copies of the Board Policies and Administrative Regulations pertaining to these complaint procedures are available free of charge upon request at the school office.

### **§ 49010-49013 ■ Complaint of Noncompliance; Pupil Fees**

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. This article is declarative of existing law and should not be interpreted to prohibit the imposition of a fee, deposit, or other charge otherwise allowed by law.

*(a) A complaint of noncompliance with the requirements of this article may be filed with the principal of a school under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.*

*(b) A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements of this article.*

If it is found that the complaint has merit, the school shall provide a remedy to all affected parties (pupils, parents/guardians) which shall ensure full reimbursement to the parties subject to procedures established by the State Board of Education. In addition, schools should have policies and procedures in place.

If a complainant is not satisfied with the decision of the school, the decision may be appealed to the California Department of Education.

*(e) Information regarding the requirements of this article shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations.*

### **§ 52075 ■ Local Control Accountability Plan Noncompliance**

School districts, charter schools and county offices of education are required to adopt and annually update their LCAPs. LCAP non-compliance complaints may be filed under the educational agency's Uniform Complaint Procedures and may be filed anonymously. If a complainant is not satisfied with the school district or county office's decision, the complainant may appeal to the California Department of Education and receive a written decision within 60 days.

### **§§ 48853, 49069.5, 51225.1, 51225.2 ■ Rights of Homeless Students and Students in Foster Care**

The uniform complaint procedures cover complaints pertaining to the education of homeless students and students in foster care, including, but not limited to, a county office's failure to:

- a) Allow a foster child to remain in his/her school of origin while resolution of a school placement dispute is pending;
- b) Place a foster child in the least restrictive educational programs and provide access to academic resources and services, and extracurricular and enrichment activities available to all students and make educational and school placement decisions based on the best interests of the child;

- c) Provide educational services for foster children living in emergency shelters;
- d) Designate a staff person as the educational liaison for foster children. The educational liaison must ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children, and assist foster children when transferring from one school or district to another by ensuring the proper transfer of credits, records and grades;
- e) Compile and transfer the complete educational record, including full or partial credits earned and the current classes and grades, of a transferring foster child to the next educational placement;
- f) Ensure the proper and timely transfer between schools of students in foster care;
- g) Within two business days of receipt of a transfer request or notification of enrollment from the new local educational agency, transfer the student and deliver the student's complete educational information and records to the next educational placement;
- h) Ensure that no lowering of grades will occur as a result of a foster student's absence due to a change in placement by a court or placing agency, or due to a verified court appearance or related court activity;
- i) Within 30 days of a foster and homeless student's transfer, after the completion of the second year of high school, the student must be notified that they may be exempt from local graduation requirements and that this exemption continues after the court's jurisdiction over a foster child ends or when a homeless student is no longer homeless;
- j) Accept coursework satisfactorily completed by a homeless student or student in foster care while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency, even if the student did not complete the entire course; and for failing to issue full or partial credit for the coursework completed;
- k) School districts may not require that a homeless student or a student in foster care retake a course if the student has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the school district may not require that the student retake the portion already completed, unless the school district, in consultation with the holder of the student's educational rights, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the student must be enrolled in the same or equivalent course in order to continue and complete the entire course;
- l) A student in foster care or a homeless student may not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California;
- m) Exempt a homeless student or student in foster care transferring between schools at any time after the completion of his/her second year of high school from all coursework and other requirements adopted by the district's governing board that are in addition to the statewide coursework requirements for graduation found in Education Code section 51225.3, unless the district makes a finding that the student is reasonably able to complete the district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school;
- n) If the school district determines that a student in foster care or a homeless student is reasonably able to complete the district's graduation requirements within the student's fifth year of high school, the district must do all of the following: (a) inform the student of his/her option to remain in school for a fifth year to complete the school district's graduation requirements; (b) inform the student, and the person holding the right to make educational decisions for the student, about how remaining in school for a fifth year to complete the school district's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution; (c) provide information to the student about transfer opportunities available through the California Community Colleges; (d) upon agreement with an adult student or upon agreement with the person holding the right to make educational decisions for a student under 18 years of age, permit the student to stay in school for a fifth year to complete the school district's graduation requirements;
- o) Within 30 calendar days of the school transfer, the school district must notify a student in foster care or a homeless student who may qualify for the exemption from local graduation requirements, the person holding the right to make educational decisions for the student, the foster student's social worker or probation officer, and, in the case of homeless students, the school district's liaison for homeless students, of the availability of the exemption from local graduation requirements and whether the student qualifies for the exemption;
- p) If a student in foster care or a homeless student is exempted from local graduation requirements and completes the statewide graduation coursework requirements in Education Code section 51225.3 before the end of his/her fourth year of high school and that student would otherwise be entitled to remain in attendance at the school, the school district may not require or request that the student graduate before the end of his/her fourth year of high school;
- q) If a student in foster care or a homeless student is exempted from local graduation requirements, the school district must notify the student and the person holding the right to make educational decisions for the student of how any of the

requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and must provide information about transfer opportunities available through the California Community Colleges;

- r) A student in foster care or a homeless student who is eligible for the exemption from local graduation requirements and who would otherwise be entitled to remain at the school, shall not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements;
- s) If a student in foster care or a homeless student is not exempted from local graduation requirements or has previously declined the exemption, the school district must exempt the student at any time if he/she requests and qualifies for the exemption;
- t) Once a student in foster care or a homeless student is exempted from local graduation requirements, the school district shall not revoke the exemption;
- u) If a student in foster care is exempted from local graduation requirements, the exemption must continue to apply after the termination of the court's jurisdiction over the student while he/she is enrolled in school or if the student transfers to another school or school district;
- v) If a homeless student is exempted from local graduation requirements, the exemption must continue to apply after the student is no longer homeless while he/she is enrolled in school or if the student transfers to another school or school district; and
- w) A school district may not require or request that a student in foster care or a homeless student transfer schools in order to be exempted from local graduation requirements.

A complainant not satisfied with the applicable school district or county office decision may appeal to the CDE and receive a written decision from the CDE within 60 days.

#### **§ 222(f) ■ Lactation Accommodations for Parenting Students**

School districts and county offices of education must provide reasonable accommodations to lactating students on school campuses to express breast milk, breastfeed an infant child or address other needs related to breastfeeding. A student may not incur an academic penalty as a result of her use of reasonable lactation accommodations and must be provided an opportunity to make up any work missed due to such use. A complaint of noncompliance with this provision may be filed under the educational agency's Uniform Complaint Procedures. Complainants not satisfied with the educational agency's decision may appeal to the CDE and receive a written decision within 60 days.

#### **§§ 51228.1, 51228.2 and 51228.3 ■ Assigning Students to Course Periods Without Educational Content**

Beginning with the 2016-2017 school year, school districts and county offices may not assign students in grades 9-12 to course periods without educational content for more than one week in any semester without written parental consent and related documentation. "Course periods without educational content" are defined to include course periods where: (1) a student is released early from school; (2) the student is assigned to a service, instructional work experience or to a course to assist a certificated employee, but is not expected to complete curricular assignments; or (3) where the student is not assigned to any course during the class period.

School districts and county offices are also prohibited, without written parental consent and related documentation, from enrolling 9-12th graders in classes they have previously completed and received a grade that is satisfactory to receive a high school diploma and to attend a California public institution of postsecondary education. Non-compliance complaints may be filed under the school district's Uniform Complaint Procedures. A complainant not satisfied with the school district's decision may appeal to the CDE and receive a written decision from the CDE within 60 days.

#### **§§ 51210 and 51223 ■ Elementary School Physical Education Instructional Minutes**

Students in an elementary school maintaining grades 1-8 are required to receive at minimum, 200 minutes of physical education instruction each 10 school days, exclusive of recesses and lunch periods. Complaints regarding the failure to comply with these physical education instructional minute requirements may be filed under the school district's Uniform Complaint Procedures. Complainants not satisfied with the school district's decision may appeal to the California Department of Education (CDE) and receive a written decision from the CDE within 60 days.

#### **§ 35186 ■ Williams Uniform Complaint Procedures**

*(a) A school district shall use the uniform complaint process it has adopted as required by Chapter 5.1 (commencing with Section 4600) of Title 5 of the California Code of Regulations, with modifications, as necessary, to help identify and resolve any deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff or teacher vacancy or misassignment.*

**20 USC §§ 1681-1688, 6311-6312, 42 USC § 2000d-d7, 42 USC §12101-12213, 29 USC § 794, 34 CFR §§ 104.8, 106.8 and 106.9, Government Code § 12940, Education Code §§ 220 and 48985 ■ Nondiscrimination**

District programs shall be free from discrimination, harassment, intimidation, and bullying based on disability (including, but not limited to blindness or severely impaired vision, physical or mental disability or medical condition), age, gender (which includes sex and a person's gender identity, gender expression, gender related appearance or behavior whether or not stereotypically associated with the person's assigned sex at birth), sex (sex discrimination includes sexual harassment and discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from pregnancy or child-birth related conditions, or denial of lactation accommodations for lactating students), nationality or national origin (including surname or language-minority status or ethnic group identification), color, race (includes ethnicity, ancestry, ethnic group identification, and ethnic background) genetic information, religion (includes all aspects of religious belief, observance and practice and includes agnosticism and atheism) or religious creed, marital, family or parental status, sexual orientation (includes heterosexuality, homosexuality, and bisexuality) or any other characteristic that is contained in the definition of hate crime set forth in Penal Code section 422.55, or the perception of one or more of such characteristics or the lack of English skills, or because a person associates with a person or group with one or more of these actual or perceived characteristics.

Title IX requires each school district that receives federal funds to have a Title IX coordinator, to notify all students and employees of the name, office address, and telephone number of the designated coordinator, and to adopt and publish a grievance procedure to resolve student and employee complaints under Title IX.

**DISCIPLINE**

**§ 35291 ■ Rules; School Discipline**

*The governing board of any school district shall prescribe rules not inconsistent with law or with the rules prescribed by the State Board of Education, for the government and discipline of the schools under its jurisdiction. The governing board of each school district which maintains any of grades 1 through 12, inclusive, may... notify the parents or guardians of all pupils registered in schools of the district of the availability of rules of the district pertaining to school discipline.*

§ 48900.1, 48914 ■ Suspension for Unruly or Disruptive Conduct. Parents may be required to attend their child's class if he or she is suspended for unruly or disruptive conduct.

**FACILITIES AND SAFETY**

**40 CFR 763.84(c) and 763.93(g)(4) ■ Asbestos**

The asbestos management plan for each school shall be available for inspection in district and school offices during normal business hours. Parent/guardian, teacher, and employee organizations shall be annually informed of the availability of these plans. In addition, staff, students, and parents/guardians shall be informed at least once each school year about any inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities, that are planned or in progress.

**§ 17612, 48980.3 ■ Use of Pesticide Products**

*(a) The school designee shall annually provide to all staff and parents or guardians of pupils enrolled at a school site a written notification of the name of all pesticide products expected to be applied at the school site during the upcoming year. The notification shall identify the active ingredient or ingredients in each pesticide product. The notice shall also contain the Internet address used to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to Section 13184 of the Food and Agricultural Code, the Internet address where the school site integrated pest management plan may be found if the school site has posted the plan (pursuant to Section 17611.5, if the school site and/or district do not have a web site, the school designee may include the integrated pest management plan with the annual notification sent to staff and parent and guardians of pupils enrolled at the school site ), and may contain other information deemed necessary by the school designee. The notice shall also inform staff and parents and guardians of pupils enrolled at a school site that they may review a copy of the integrated pest management plan in the school site office. No other written notification of pesticide application shall be required by this act except as follows: (1) The written notice shall provide the opportunity for recipients to register with the school site if they wish to receive notification of individual pesticide applications at the school site. Persons who register for notification shall be notified of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredients or ingredients in the product, and the intended date of application. (2) This 72-hour notice shall also be provided if a pesticide product not included in the annual notification is subsequently intended for use at the school site. Copies of the Integrated Pest Management plan are available in the school offices and on the school district's website at [www.msschool.org](http://www.msschool.org).*

**§ 39831.5 ■ School Bus Safety Rules**

*Upon registration, the parents or guardians of all pupils not previously transported in a school bus or school pupil activity bus and who are in prekindergarten, kindergarten, and grades 1 to 6, inclusive, shall be provided with written information on school bus safety. The information shall include, but not be limited to, all of the following: (A) A list of school bus stops near each pupil's home. (B) General rules of conduct at school bus loading zones. (C) Red light crossing instructions. (D) School bus danger zone. (E) Walking to and from school bus stops.*

**HEALTH & IMMUNIZATIONS**

**§ 49403 ■ Cooperation in Control of Communicable Disease & Immunization of Pupils**

The governing board of any school district may permit a licensed physician and surgeon, or a health care practitioner (including a physician assistant, nurse practitioner, registered nurse, licensed vocation nurse or nursing student who is acting under the supervision of a registered nurse as provided by law) who is acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to a pupil whose parent or guardian has consented in writing prior to administration of the immunizing agent.

### **§ 49423 ■ Administration of Prescribed Medication for Pupil**

*(a) Notwithstanding Section 49422, any pupil who is required to take, during the regular school day, medication prescribed for him or her by a physician and surgeon or ordered for him or her by a physician assistant practicing in compliance with Chapter 7.7 (commencing with Section 3500) of Division 2 of the Business and Professions Code, may be assisted by the school nurse or other designated school personnel or may carry and self-administer prescription auto-injectable epinephrine if the school district receives the appropriate written statements identified in subdivision (b).*

*(b) (1) In order for a pupil to be assisted by a school nurse or other designated school personnel pursuant to subdivision (a), the school district shall obtain both a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil indicating the desire that the school district assist the pupil in the matters set forth in the statement of the physician and surgeon or physician assistant.*

*(2) In order for a pupil to carry and self-administer prescription auto-injectable epinephrine pursuant to subdivision (a), the school district shall obtain both a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine, and a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the school district and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication pursuant to this paragraph.*

*(3) The written statements specified in this subdivision shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.*

*(c) A pupil may be subject to disciplinary action pursuant to Section 48900 if that pupil uses auto-injectable epinephrine in a manner other than as prescribed.*

### **§ 49423.1 ■ Inhaled Asthma Medication**

Parents/foster parents/guardians may provide a written statement to the school district requesting assistance with the administration of inhaled asthma medication from the school nurse or other designated school personnel, or allowing their children to carry and self-administer inhaled asthma medication. In order for a student to be assisted with the administration of inhaled asthma medication, the following is required: (1) a written statement from the physician or surgeon detailing the medication name, method, amount, and time schedules by which the medication is to be taken and (2) a written statement from the parent, foster parent or guardian requesting that the school district assist the student in the administration of medication set forth in the physician or surgeon's written statement.

In order for a student to be able to carry and self-administer prescription inhaled asthma medication, the following is required: (1) a physician or surgeon's written statement confirming that the child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedules for administration; and (2) the parent, foster-parent or guardian's written consent to the self-administration, a release for the school nurse or other designated school personnel allowing them to consult with the student's physician and an agreement to release the district and school personnel from civil liability in the event of an adverse reaction to the medication.

These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. Students may be subject to disciplinary action pursuant to Ed. Code section 48900 for using inhaled asthma medication in a non-prescribed manner.

### **§ 49414.7 ■ Anti-Seizure Medication**

Parents/guardians of a student with epilepsy who has been prescribed an emergency anti-seizure medication may request that their student's school have one or more of its employees receive voluntary training in the administration of the medication in the event that the student suffers a seizure when a nurse is not available. Upon receipt of the parent's request, the school district must notify the parent that his or her child may qualify for an individualized education program or a Section 504 plan.

### **§ 49451 ■ Parent's Refusal to Consent (Physical Exam)**

A parent or guardian having control or charge of any child enrolled in the public schools may file annually with the principal of the school in which he is enrolled a statement in writing, signed by the parent or guardian, stating that he will not consent to a physical examination of his child. Thereupon, the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

### **§ 49452.7 ■ Type 2 Diabetes Information**

The school districts shall provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7<sup>th</sup> grade pupils. The information sheet may be provided to the parent or guardian of incoming 7<sup>th</sup> graders with the annual parent rights notification, or it may be provided separately. The information sheet is available to school districts through the California Department of Education website at <http://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>. Written copies of the information sheet are available to school districts upon written request to the California Department of Education.

#### **§ 49471 ■ Medical & Hospital Services Not Provided or Available**

The governing board of any junior high or high school (grades 6-12) shall furnish written notification that the school/district does not provide or make available medical and hospital services for pupils of the school/district who are injured while participating in athletic activities.

#### **§ 49472 ■ Medical & Hospital Services for Pupils**

The governing board of any school/district may provide or make available medical and/or hospital services for pupils through nonprofit membership corporations, or authorized insurance companies for accidents occurring on school grounds, or while being transported to or from any school activity or event. The service shall be provided only with the consent of the parent or guardian, or the pupil if he/she is not a minor. Please contact the school or district office regarding such medical service.

#### **§ 49480 ■ Continuing Medication**

The parent or legal guardian of any public school pupil on continuing medication for a non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with school personnel regarding the possible effects of the drug. The superintendent of the school district shall be responsible for informing parents of the requirements of this section.

#### **H. & S. Code § 120335, Education Code 48216(b)(c) ■ Immunization for Communicable Disease**

The governing board of each school district shall require that every child entering a school must be fully immunized against Diphtheria, Haemophilus influenza type b, Measles, Mumps, Pertussis (whooping cough), Poliomyelitis, Rubella, Tetanus, Hepatitis B, Varicella (chicken pox), and any other disease deemed appropriate by the California Department of Public Health. A written immunization record of each required vaccine, including date and provider must be presented at school entry. Commencing July 1, 2011, the governing board of each school district shall require full immunization against Hepatitis B for any pupil entering the 7<sup>th</sup> grade level. Also commencing July 1, 2011, the governing board shall require any pupil entering 7<sup>th</sup> through 12<sup>th</sup> grade, inclusive, to be fully immunized against pertussis, including all pertussis boosters (Tdap) appropriate for the pupil's age.

*(a) Your child must be immunized against certain diseases before being admitted to school, unless exempted for medical or religious reasons. Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016, will be exempt from the immunization requirement until they complete the "grade span" they were in as of January 1, 2016. Grade spans are: (1) birth through preschool, (2) Kindergarten through 6th grade, and (3) 7th through 12th grade. Students entering school for the first time or advancing to 7th grade after July 1, 2016 will no longer be exempt from immunizations based on their religious or personal beliefs. (Ed. Code §48216 and Health and Safety Code §120335.)*

*(b) The governing board of the district shall notify the parent or guardian of the pupil that they have two weeks to supply evidence either that the pupil has been properly immunized, or that the pupil is exempted from the immunization requirement pursuant to Education Code section 48216 and Section 120335 or 120370 of the Health and Safety Code.*

*(c) The governing board of the district, in the notice, shall refer the parent or guardian of the pupil to the pupil's usual source of medical care to obtain the immunization, or if no usual source exists, either refer the parent or guardian to the county health department, or notify the parent or guardian that the immunizations will be administered at a school of the district.*

#### **§ 49475 ■ Concussion and Head Injuries**

School districts that provide an athletic program must distribute a concussion and head injury information sheet on a yearly basis. The information shall be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This does not apply to an athlete engaged in an athletic activity during the regular school day or as part of a physical education course required pursuant to subdivision (d) of Section 51220.

#### **INSTRUCTION**

##### **§ 221.5 ■ Course of Study – Sexual Bias**

Elementary and secondary (high) schools shall offer classes and courses, including nonacademic and elective classes and courses, without regard to the sex of the pupil enrolled in these classes and courses. A school district may not prohibit a pupil from enrolling and may not require a pupil of one sex to enroll in any class or course on the basis of the sex of the pupil. *(d) A school counselor, teacher, instructor, administrator, or aide may not, on the basis of the sex of a pupil, offer vocational or school program guidance to a pupil of one sex that is different from that offered to a pupil of the opposite sex or, in counseling a pupil, differentiate career, vocational, or higher education opportunities on the basis of the sex of the pupil counseled... The parents or legal guardian of a pupil shall be notified in a general manner at least once in the manner prescribed by Section 48980, in advance of career counseling and course selection commencing with course selection for grade 7 so that they may participate in the counseling sessions and decisions.* *(e) Participation in a particular physical education activity or sport, if required of pupils of one sex, shall be available to pupils of each sex. (f) A pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil's records.*

##### **§ 32255-32255.6 ■ Pupils' Rights to Refrain From the Harmful or Destructive Use of Animals**

Pursuant to Chapter 2.3 (Sections 32255-32255.6), upon receiving notice from the school, any pupil with a moral objection to dissecting, harming, or destroying animals shall notify his/her teacher regarding this objection. An alternative education project may be arranged if the teacher believes the alternative education project can provide the course of study in question. A parent/guardian written request for objection to the class or course of study must be provided. Each teacher teaching a course that utilizes live or dead animals or animal parts shall also inform pupils of their rights pursuant to the law. Classes in agricultural education, animal care and management, or evaluation of domestic animals are exempted from the provisions of this chapter.

### **§ 51240 ■ Excuse from Health Instruction Based on Religious and Moral Grounds**

Parents/guardians may request in writing that their student be excused from any part of a school's instruction in health which conflicts with their religious training and beliefs.

### **§ 51934, 51938-51939 ■ HIV/AIDS Instruction**

All pupils in grades 7-12, inclusive, shall receive comprehensive sexual health education and HIV/AIDS prevention education from trained instructors at least once in junior high/middle school and once in high school.

At the beginning of each school year, or at the time of enrollment, the parent or guardian of each pupil shall be notified about instruction in comprehensive sexual health education and HIV/AIDS prevention education and research on pupil health behaviors and risks planned for the coming year. The notice shall include all of the following:

1. Advise the parent or guardian that written and audiovisual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education are available for inspection.
2. Advise the parent or guardian whether the comprehensive sexual health education or HIV/AIDS prevention education will be taught by school district personnel or by outside consultants.
3. Information explaining the parent's or guardian's right to request a copy of Chapter 5.6 of the Education Code (commencing with Section 51930 et seq.).
4. Advise the parent or guardian that the parent or guardian may request in writing that his or her child not receive comprehensive sexual health education or HIV/AIDS prevention education.

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 pupils' attitudes concerning or practices relating to sex may be administered to pupils in grades 7-12. Parents or guardians shall be notified in writing and given the opportunity to review such tests, questionnaires and surveys.

A parent or guardian has the right to excuse his or her child from all or part of the above by making a written request.

A pupil shall not be subject to disciplinary action, academic penalty, or other sanction if the parent/guardian does not permit the pupil to receive the instruction. While the instruction is being delivered, an alternative educational activity shall be made available to those pupils whose parent/guardian have requested that they not receive the instruction.

### **§ 49091.14 ■ Availability of Curriculum Prospectus**

*The curriculum, including titles, descriptions, and instructional aims of every course offered by a public school, shall be compiled at least once annually in a prospectus. Each school site shall make its prospectus available for review upon request. When requested, the prospectus shall be reproduced and made available. School officials may charge for the prospectus an amount not to exceed the cost of duplication.*

### **Welfare & Inst. Code § 18976.5 ■ Child Abuse Prevention Training Program**

Parents have the right to refuse to allow their children to participate in a child abuse primary prevention program.

### **5 CCR § 852 ■ California Assessment of Student Performance & Progress (CAASPP)**

The CAASPP, which has replaced the Standardized Testing and Reporting ("STAR Program"), is the state's academic testing program. District students will take the test in grades 3-8. CAASPP is a system intended to provide information that can be used to monitor student progress and ensure that all students leave high school ready for college and career. Following the spring semester testing, students will receive individual score reports. Student score reports will be sent home to parents and will include an overall score, a description of the student's achievement level for English-language arts and mathematics, and other information. It is important to note that these scores cannot be compared to scores that your child previously received on the STAR Program tests because this test is based on the Common Core State Standards, involves different types of test questions, and will not be reported using the STAR Program reporting categories. Pursuant to California Education Code section 60615, parents may annually submit to the school a written request to excuse their child from any or all of CAASPP. If you would like more information regarding CAASPP, please visit the "Students & Parents" tab of the CDE CAASPP website at <http://www.cde.ca.gov/ta/tg/ca/>, or contact school administration.

### **LUNCH/MEALS**

#### **§ 49510-49520 ■ Child Nutrition; School Meals**

It is the intent of Article 9 of the Education Code (commencing with section 49510 et seq.) to establish an on-going program to assure that the nutritional requirements of pupils are enhanced by a pervasive program of food supplementation while they are attending school. The Department of Education, in cooperation with the Department of Social Welfare, shall establish a statewide program to provide nutritious meals at school for pupils. Notice of the availability of the program prescribed by this article shall be given pursuant to Section 48980.

### **NO CHILD LEFT BEHIND ACT OF 2001**

#### **20 USC 1232h**

Any district receiving funds from the United States Department of Education must adopt a policy regarding the (1) administration of surveys and physical exams/screenings; (2) right of parents to inspect instructional materials; and (3) collection of personal information for marketing purposes. Additional notice shall be provided within a reasonable period of time after any substantive change to such policy.

## **§§ 51513 and 60614 ■ Personal Beliefs / Political Affiliations / Behavior / Close Family Relationships**

No test, questionnaire, survey, or examination which has questions about your or your child's: beliefs and practices in sex, family life, morality, religion, political affiliations or beliefs, illegal, anti social, self incriminating, or demeaning behavior, mental or psychological problems, legally recognized privileged relationships (such as lawyer, physician, or minister), critical appraisals of individuals with whom you have close family relationships, or income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) shall be administered without prior notification and written permission of the parent or guardian. Parents may inspect all instructional materials, including teacher's manuals, films, tapes or other supplementary material to be used in connection with any survey, analysis or evaluation.

## **20 USC 6311(h)(6)**

According to federal law, at the beginning of each school year, the district shall notify the parents of each student that parents have the right to request information regarding the professional qualifications of their child's teacher, including:

- Whether the teacher has met state qualification and licensing criteria for grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived.
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Parents must also be provided information on the level of achievement of the parent's child in each of the state's academic assessments, and must be notified if their child is taught by a teacher who is not "highly qualified" for four or more consecutive weeks.

## **RECORDS**

### **§ 49063, 49068, 49069, 49070, 20 USC 1232g, 34 CFR 99.7 ■ Parent Access to Records**

*School districts shall notify parents in writing of their rights under this chapter upon the date of the pupil's initial enrollment, and thereafter at the same time as notice is issued pursuant to Section 48980. The notice shall be, insofar as is practicable, in the home language of the pupil. The notice shall take a form which reasonably notifies parents of the availability of the following specific information:*

- (a) The types of pupil records and information contained therein which are directly related to students and maintained by the institution.*
- (b) The position of the official responsible for the maintenance of each type of record.*
- (c) The location of the log or record required to be maintained pursuant to Section 49064.*
- (d) The criteria to be used by the district in defining "school officials and employees" and in determining "legitimate educational interest" as used in Section 49064 and paragraph (1) of subdivision (a) of Section 49076.*
- (e) The policies of the institution for reviewing and expunging those records.*
- (f) The right of the parent to access to pupil records.*
- (g) The procedures for challenging the content of pupil records.*
- (h) The cost if any which will be charged to the parent for reproducing copies of records.*
- (i) The categories of information which the institution has designated as directory information pursuant to Section 49073.*
- (j) Any other rights and requirements set forth in this chapter, and the right of the parent to file a complaint with the United States Department of Health, Education, and Welfare concerning an alleged failure by the district to comply with the provisions of Section 438 of the General Education Provisions Act (20 U.S.C.A. Sec. 1232g).*
- (k) The availability of the prospectus prepared pursuant to Section 49091.14.*

Following the inspection and review of a pupil's records, the parent or guardian of a pupil or former pupil may challenge the content of any pupil record pursuant to Section 49070. Any school district requesting a transfer of pupil records shall notify parents of their right to receive a copy of the record and a right to a hearing to challenge the content of the record. The District will forward student records, including suspension and/or expulsion disciplinary records, to other schools that have requested the records and in which the student seeks to enroll.

### **§§ 49075, 49076 et seq. and 34 CFR 99.1 et seq. ■ Parental Consent to Release Student Information**

Parents have the right to consent to disclosure of personally identifiable information contained in their child's records, except to the extent disclosure without consent is permitted by law (e.g. subpoena or court order).

### **§ 49073, 49073.5 ■ No Child Left Behind 20 USC 7908- Directory Information**

Notice must be given at least on an annual basis of the categories of directory information that the district plans to release, and of which individuals, officials, or organizations may receive it. Directory information may be released according to district policy as to any pupil or former pupil, unless the parent has notified the district that the information shall not be released.

Upon request by a military recruiter or an institution of higher education, a school district receiving Title I funds must give the requester the names, addresses and telephone numbers of its secondary school students. The district must notify parents that they may request that their child's name, address and telephone number not be released to military recruiters unless the parent consents to such release in writing.

**§ 49073(c) ■ Homeless Students / Release of Directory Information**

Written consent of the parent or that of the student, if accorded parental rights, must be obtained before directory information pertaining to a homeless student may be released. (20 USC 1232g.)

**STUDENTS WITH DISABILITIES**

**§ 48206.3, 48207, 48208 ■ Pupils with Temporary Disability**

A pupil with a temporary disability, which makes attendance in the regular day classes or alternative education program, in which the pupil is enrolled impossible or inadvisable shall receive individual instruction provided by the district in which the pupil is deemed to reside. The district shall consider provisions for a pupil with a temporary disability, in which it may or may not be advisable to attend a school or an alternative education program. Such pupils shall be provided individual instruction, as deemed necessary, that may include instruction in the pupil’s home, hospital, or health facility in the pupil’s district of residence. If the hospital or health facility is outside the pupil’s district of residence, the district where the hospital or health facility is located shall be the pupil’s district of residence. It shall be the responsibility of the parent or guardian of a pupil with a temporary disability to notify the school district in which the pupil is deemed to reside, pursuant to Section 48207 of the pupil’s presence in a qualifying hospital.

**§ 56040 ■ Individuals with Disabilities Education Act (IDEA)**

*Every individual with exceptional needs who is eligible to receive special education instruction and related services under this part, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her.* Federal law also requires a free and appropriate education in the least restrictive environment be offered to individuals with exceptional needs.

**§ 56301 ■ Child Find Policies (Special Education)**

All children with disabilities residing in the state who are in need of special education and related services, shall be identified, located and assessed and a practical method developed and implemented to determine which children are receiving needed special education and services as required by Federal law.

*(d)(1) Each special education local plan area shall establish written policies and procedures pursuant to Section 56205 for use by its constituent local agencies for a continuous child find system that addresses the relationships among identification, screening, referral, assessment, planning, implementation, review and triennial assessment. The policies and procedures shall include, but need not be limited to, written notification of all parents of their rights under this chapter, and the procedure for initiating a referral for assessment to identify individuals with exceptional needs. (2) In accordance with Section 1415(d)(1)(A) of Title 20 of the United States Code and Section 300.504(a) of Title 34 of the Code of Federal Regulations, parents shall be given a copy of their rights and procedural safeguards only one time a school year, except that a copy also shall be given to the parents: (A) Upon initial referral or parental request for assessment. (B) Upon receipt of the first state complaint under Section 56500.2 in a school year. (C) Upon receipt of the first due process hearing request under Section 56502 in a school year. (D) When a decision is made to make a removal that constitutes a change of placement of an individual with exceptional needs because of a violation of a code of pupil conduct in accordance with Section 300.53(h) of Title 34 of the Code of Federal Regulations. (E) Upon request by a parent.*

Students

BP 5145.3

**Nondiscrimination/HARASSMENT**

The Governing Board desire to provide a safe school environment that allows all students equal access and opportunities in the district’s academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, 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 of more of these actual or perceived characteristics.

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe or pervasive that it affects a student’s ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student’s academic performance; or otherwise adversely affects a student’s educational opportunities.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

The Superintendent or designee shall provide age-appropriate training and information to students, parents/guardians, and employees regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, the district’s nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.

In provided instruction, guidance, supervision, or other services to district students, employees and volunteers shall carefully guard against segregating or stereotyping students.

The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

### **Grievance Procedure**

The following position is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district's nondiscrimination policies:

Superintendent/Principal  
P O Box 25  
Sultana, CA 93666  
559-591-1634

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the principal, or any other staff member. In addition, any student who observes any such incident should report the incident to the principal, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported shall report the incident to the principal, whether or not the victim files a complaint.

In addition, the employee shall immediately intervene when safe to do so. (Education Code 234.1)

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the principal shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures.

The Superintendent or designee shall ensure that the student handbook clearly describes the district's nondiscrimination policy, procedure for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The district's policy shall also be posted on the district web site or any other location that is easily accessible to students.

When required pursuant to Education Code 48985, complaint forms shall be translated into the student's primary language.