

MONSON-SULTANA SCHOOL

ANNUAL NOTIFICATION TO PARENTS/GUARDIANS 2013-14

Dear Parent/Guardian:

California Education Code section 48980 requires that, at the beginning of the first semester or quarter of the regular school term, the governing board of each school district must notify parents/guardian of their rights or responsibilities under certain provisions of the Education Code. Other provisions of California and United States law also require notification of parents/guardians.

Education Code section 48982 requires acknowledgement of being informed which is performed by physically or electronically signing the parent acknowledgement card as an acknowledgement that you have received the notice and have been informed of your rights, but the signature does not indicate that consent to participate in any particular program has been either given or withheld.

California and United States law requires certain other notices in the event that specific circumstances should arise, affecting your child's education and attendance at school. If any such circumstances should arise, the District will provide notice as required by law.

~~~~~  
(All code sections hereinafter referred to are California Education Code  
unless otherwise noted. Quoted code sections are shown in *italics*.)

### **GENERAL NOTIFICATIONS**

#### **§ 48980 ■ Required Notification**

Pursuant to Section 48980, governing boards of school districts shall notify parents and guardians of certain rights and responsibilities including, but not limited to the following Education Code Sections: 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, and 51938, and Chapter 2.3 (commencing with section 32255).

*c) The notification also shall advise the parents and guardians of all pupils attending a school within the school district of the schedule of minimum days and pupil-free staff development days, and if minimum or pupil-free staff development days are scheduled thereafter, the governing board of the district shall notify parents and guardians of the affected pupils as early as possible, but not later than one month before the scheduled minimum or pupil-free day.*

**The minimum days and pupil free staff development days scheduled for the 2013-14 school year are listed on the calendar in the Appendix.**

*d) The notification also may advise the parent or guardian of the importance of investing for future college or university education of their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.*

*f) School districts which elect to provide a fingerprinting program pursuant to Article 10 (commencing with Section 32390) shall inform parents or guardians of the program specified in Section 32390.*

*g) Notification of the school district policy on sexual harassment shall also be provided pursuant to Section 231.5 as it relates to pupils.*

**See Appendix for school policy.**

*i) It is the intent of the Legislature that the governing board of each school district annually review the enrollment options available to the pupils within its district and that the districts strive to*

*make available enrollment options that meet the diverse needs, potential, and interests of the pupils of California.*

**§ 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.

**§ 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. **See Appendix for calendar of dates.**

**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 therefor. 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. **See Appendix for options and forms.**

### **§ 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).

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

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

#### *“Notice of Alternative Schools*

*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 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. **See Appendix for the complaint procedure.**

#### **§ 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.*

#### **§ 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, teacher vacancy or misassignment, and intensive instruction and services provided pursuant to Section 37254 to pupils who have not passed one or both parts of the high school exit examination after the completion of grade 12.*

#### **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 based on disability (including, but not limited to blindness or severely impaired vision, physical or mental disability or medical condition), age, gender or sex, gender identity, gender expression, nationality or national origin (including surname or language-minority status or ethnic group identification), color, race or ethnicity, ancestry, genetic information, religion or religious creed, marital or parental status, sexual orientation 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 lack of English skills.

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.*

**See Appendix for discipline policy.**

## **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 and may contain other information deemed necessary by the school designee. (a)(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. This notice shall include the product name, the active ingredients or ingredients in the product, and the intended date of application. 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.*

### **§ 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 schooldays, 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.*

### **§ 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. **See Appendix for the information sheet.**

### **§ 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 influenzae 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.

*(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 Section 120365 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 the school of the district.*

## **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.*

### **§ 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.

### **§ 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.

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.

## **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. **See Appendix for application to apply for free/reduced meals**

## **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.

### **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 the parent of their right to receive a copy of the record and a right to a hearing to challenge the content of the record.

### **§ 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.

## **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.*

---

RECEIPT OF ANNUAL NOTIFICATION TO PARENTS/GUARDIANS 2013-14

I hereby acknowledge receipt of information required by California Education Code, section 48980, regarding Annual Notification to Parents and Guardians of Rights & Responsibilities.

Student's Name \_\_\_\_\_ Grade \_\_\_\_\_

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Parent's/Guardian Signature

(This page is to be signed and returned to your child's teacher)