



SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

*A Joint Powers Authority
serving school and college
districts throughout the
state.*

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LEGAL UPDATE

April 20, 2018

To: Superintendents, Member School Districts (K-12)
From: Sarah Hirschfeld-Sussman 
Schools Legal Counsel
Subject: 2018-2019 Annual Notice to Parents
Memo No. 10-2018

Consistent with Education Code section 48980 and other state and federal laws which require districts to annually notify students, parents, and guardians of their legal rights and responsibilities, attached is a form Annual Notice to Parents appropriate for use in the 2018-2019 school year.

The attached Annual Notice to Parents will satisfy a school district's obligations under Education Code section 48980 and other state and federal laws addressing annual notice requirements. However, please be aware that the attached Annual Notice to Parents:

- Provides only summary notification to parents for annually required notices; and
- Does not satisfy any specific circumstance notifications that may be required under state and/or federal law, which will vary from district to district and may vary from school site to school site.

Notes and Changes for the 2018-2019 Notification

Please note the following for the 2018-2019 Annual Notice to Parents:

- **Scoliosis Screening Notice May Not Be Required:** Education Code section 49452.5, which requires school districts to provide for scoliosis screenings for all female pupils in grade 7 and all male pupils in grade 8, was suspended last year pursuant to the Governor's Budget Act of 2017 for the 2017-2018 fiscal year. As a result, school districts could exercise their discretion as to whether to provide this service since it was not mandated.



Please be advised that in approximately **July of 2018**, the California Department of Finance will advise the California Department of Education if this mandate will continue to be suspended for the 2018-2019 school year. We anticipate that the mandate will continue to be suspended for the 2018-2019 school year. However, if scoliosis screenings are mandated for the 2018-2019 school year, school districts may need to provide notice to parents of this change.

- **Photographs – Directory Information:** Consistent with Education Code section 49061, “directory information” does not include photographs of students, meaning that photographs of students are “pupil records” and cannot be released without parent/guardian consent. “Directory information” under federal law could include photographs, and some districts have included photographs in the definition of directory information in their board policies. Please note that we have included a section within the attached “Acknowledgement of Parent or Guardian of Annual Rights Notification” giving the district permission to publish photographs of students. Districts are advised to check their board policies to ensure the definition they have adopted for “directory information” correlates to the definition in the Annual Notice to Parents, and if it does not, to make any necessary changes. If a parent or guardian directs the district not to release “directory information,” the district needs to be aware of the definition it has adopted to ensure compliance.

The following changes have been made for the 2018-2019 Annual Notice to Parents:

- **Immigrant Student Protections:** Education Code sections 200, 220 and 234.1 have been amended to include “immigration status” in the list of categories of persons that are guaranteed equal rights and opportunities in the educational institutions of the state and are protected against discrimination, harassment, intimidation, and bullying. Education Code section 234.7 was added in 2018 to protect immigrant pupils and pupils with immigrant family members. The new law requires that schools provide “know your rights” information to parents/guardians related to education rights for immigrant students and students with immigrant family members. Schools must advise parents of their children’s rights to a free public education regardless of immigration status or religious beliefs. This information and notification may be provided in a school or school district's annual notice to parents, or by any other cost-effective means. A section has been added to the Annual Notice to Parents to comply with this new law. In addition, we have attached a “know your rights” document in both English and Spanish that we recommend sending out with the Annual Notice to Parents to ensure compliance with the new law.
- **School District of Choice:** Legislation passed in 2017 imposes additional requirements on schools that elect to operate their district as a “school district of choice” under the law. Education Code section 48301 was amended to clarify that certain student characteristics may not be considered when accepting pupils who apply to transfer to the “school district of choice.” In addition, the law requires these districts to post all transfer



information on their website, and make information available in other languages (if required in the school district of residence). Education Code section 48306 changed the entrance priority for siblings, students eligible for free or reduced-price meals, and children of military personnel. The “School Attendance/Attendance Alternatives” section of the Annual Notice to Parents has been updated accordingly.

- **High School Exit Examination:** The notice requirement of the high school exit exam does not appear in the Annual Notice to Parents. The requirement of a high school examination as a condition for receiving a diploma or condition of graduation from high school was repealed in 2017 and all references to the exit exam were removed from the Education Code.

Additional Documents That Must be Included in the Annual Notice to Parents

As always, each school district is required to provide, in addition to the Annual Notice to Parents, documents that are specific to each individual school district. The following documents must be included with the Annual Notice to Parents:

- Your district’s policy on sexual harassment;
- A listing of all pesticides that will be used at each school site in your district (including the Internet address developed by the Department of Pesticide Regulation pursuant to Food and Agricultural Code section 13184 for access to information on pesticides and pesticide use reduction, and the parent option to register to receive notification of individual pesticide applications at the school facility) and, if using pesticides not listed in Education Code 17610.5, the district’s integrated pest management (IPM) plan or the district website address where the plan may be viewed;
- The schedule of all minimum and pupil-free staff development days for your district (your school calendar);
- Your district’s policy on parent classroom visits;
- Your district’s Uniform Complaint Procedures, which should include an explanation of the process, opportunity to appeal to the California Department of Education (Education Code section 262.3), district persons responsible for processing complaints, and a statement that additional civil law remedies may be available under state and federal discrimination laws. **Each district’s Uniform Complaint Procedures, typically found in Board Policy and Administrative Procedure 1312.3, should be updated annually to ensure compliance with current laws.**

If your school district offers any of grades 9 to 12, you must provide information about college admission requirements and career technical education with your Annual Notice to Parents:



- Pursuant to Education Code section 51229, each district offering grades 9-12 is required to provide the parent or guardian of each minor pupil enrolled in any of those grades in the district with an annual written notification of the College Admission Requirements and Career Technical Education. This written notice, to the extent possible, shall not exceed one page in length and must include the following:
 - A brief explanation of the college admission requirements;
 - A list of the current University of California and California State University websites and a list of high school courses that have been certified by the University of California as satisfying the requirements for admission to the University of California and the California State University;
 - A brief description of career technical education, as defined by the CDE;
 - The internet address for the portion of the website of the CDE where students can learn more about career technical education; and
 - Information about how students may meet with school counselors to help them choose courses at their school that will meet college admission requirements and/or enroll in career technical education courses, or both.

- In addition, if a district elects to allow a career technical education course to satisfy the visual/performing arts or foreign language graduation requirement, the district shall provide information about the high school graduation requirements of the district and how each requirement satisfies or does not satisfy the subject matter requirements for admission to state public colleges, as well as a complete list of career technical education courses offered by the district that satisfy the subject matter requirements for admission to the state public colleges, and which of the specific admission requirements these courses satisfy. It is recommended that the College Admission Requirements and Career Technical Education notification be included with your Annual Notice to Parents.

Other Relevant Laws To Consider

As described above, several state and federal laws require that many documents and other information be made available to parents/guardians upon request, including, but not limited to, each school's Prospectus of School Curriculum and district non-discrimination policies. In satisfaction of these requirements, the 2018-2019 Annual Notice to Parents provides that such information may be obtained either from the student's school or the district office (as appropriate). Some laws require notifying parents or guardians in particular situations that do not apply to all students or all schools.

Please review the following sections carefully to ensure that your district's policies and procedures and your Annual Notice to Parents are consistent with the relevant laws.

Code of Conduct for Employee-Pupil Interactions

Pursuant to a newly adopted law Education Code section 44050, LEAs that maintain an employee code of conduct containing a section on employee interactions with pupils must provide a written copy of the section to the parent or guardian of each pupil at the beginning of



the school year. This requirement is satisfied by including the relevant section in the Annual Notice to Parents. If you have a code of conduct containing a section on employee interactions with pupils, we strongly encourage you to include the language in your Annual Notice to Parents.

Long-Term English Learners

Under Education Code section 440, each parent or guardian must be given notice when their child is assessed for English language proficiency no later than 30 days after the start of the school year. Education Code section 313.2 recently expanded these parental notification requirements to include the following additional information: 1) whether the child is a long-term English learner or at risk of becoming a long-term English learner; 2) the manner in which the English language development instruction will meet the educational needs of long-term English learners or those at risk of becoming long-term English learners; and 3) the manner in which the program for English language development instruction will help long-term English learners or those at risk of becoming long-term English learners develop English proficiency and meet age-appropriate academic standards.

School Accountability Report Card

Pursuant to Education Code section 35256, the governing board of each school district annually shall issue a School Accountability Report Card for each school in the district, publicize those reports, and notify parents or guardians of pupils that a hard copy will be provided upon request. Each district must make hard copies of its annually updated report card available, upon request, on or before February 1st of each year. We strongly encourage that each district include this information in its Annual Notice to Parents.

Title I / Every Student Succeeds Act

For districts that may be receiving Title I and/or any other federal funds, please note that the Annual Notice to Parents is not intended to satisfy other specific notification obligations you may have under federal law, including ESSA. Although the Annual Notice to Parents does contain some parent notifications in satisfaction of ESSA, the scope of such notice is limited to providing only those notices universally required of all districts. Similar to the ESSA requirements, California has enacted the Open Enrollment Act¹, which requires districts with a “low-achieving school” to notify the parents at that school of their option to transfer to another public school served by the district of residence or another school district. Districts should consult with their Title I and other special program coordinators as well as School and College Legal Services with respect to any additional notifications that may be required.

The U.S. Department of Education has provided a Frequently Asked Question document to assist districts in the transition from NCLB to ESSA. This can be found at:
<https://www2.ed.gov/policy/elsec/leg/essa/essatransitionfaqs11817.pdf>.

¹ Education Code sections 48350 et seq.



Title VI of the Civil Rights Act of 1964

Additionally, Title VI of the Civil Rights Act of 1964 requires that each district have a policy of non-discrimination on the basis of race, color, national origin, sex, age, or disability. We recommend that this policy be included with your Annual Notice to Parents.

Title IX of the U.S. Education Amendments of 1972

Title IX of the U.S. Education Amendments of 1972 requires that each district provide a notice of nondiscrimination and state that the district does not discriminate on the basis of sex in its educational programs and activities. The notice must state that questions regarding Title IX may be referred to the school's Title IX coordinator or the Office of Civil Rights. The district must notify all students and employees of the name or title, office address, telephone number, and email address of each district's designated Title IX coordinator.

Federal Race and Ethnicity Data Collection Reporting

Based upon final guidance from the U.S. Department of Education regarding the collection of race and ethnicity data for students and staff, the California Department of Education has revised its data collection requirements using the California Pupil Achievement Longitudinal Data System (CALPADS). School districts are obligated to comply with the reporting requirements using a two-part question (<https://www.cde.ca.gov/ds/dc/es/refaq.asp>). It is recommended that the Annual Notice to Parents be used as the mechanism for distributing the information to students.

Translation

For those districts subject to Education Code section 48985², the 2018-2019 Annual Notice to Parents has been translated into Spanish and is attached for your convenience. The California Department of Education has established a Clearinghouse for Multilingual Documents to help school districts meet state and federal requirements for document translation and parental notification, including the requirements in Education Code section 48985, Every Student Succeeds, and other legislation. The Clearinghouse may be accessed at the following web address: <http://www.cde.ca.gov/Ls/pf/cm/>.

Bullying

Districts are required to adopt and publicize a policy prohibiting discrimination, harassment, intimidation, and bullying, based on actual or perceived characteristics. The policy must include a statement that the policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district. Districts are required to post the policy in all schools and offices, including staff lounges and student government meeting rooms and the policy must be translated as required by Education

² Where 15 percent or more of pupils enrolled speak a primary language other than English, all notices, reports and statements sent to the parent or guardian must be written in the primary language in addition to being written in English.



Code section 48985. It is recommended that the Annual Notice to Parents be used as a mechanism for distributing the policy to students.

Sections of the Annual Notice to Parents Required Under Specific Circumstances

Lastly, please find below a list of updated code sections that require annual notice to parents only under specific circumstances. Most of these code sections have not been added to the Annual Notice to Parents as they may not be applicable to all students and specific policies may vary from district to district. It is the responsibility of the individual school district to notify parents regarding the following sections:

- **Education Code section 310 – Multilingual Education**

If a school district implements a language acquisition program under this section, information on the types of language programs available and a description of each program must be given to parents and guardians in the annual parent notice or upon enrollment.

- **Education Code section 49073.6 – Information from Social Media**

If your district has adopted a program or entered a contract for services to gather and maintain information from social media³ about enrolled students, the district must provide certain information to the parent or guardian of any student whose information has been gathered. This information may be included in the Annual Notice. The parent or guardian of the student whose information has been gathered must be notified of the following: 1) the student's information is being gathered from social media; 2) the process by which the student or his or her parent or guardian can access and examine the collected information; and 3) the process by which the student or his or her parent or guardian can request the correction or removal of information gathered.

- **Education Code section 35182.5 – Electronic Products or Services that Disseminate Advertising**

If a district enters into a contract for electronic products or services that requires the dissemination of advertising to students, the district must provide written notice to the parents or guardians of the students that the advertising will be used in the classroom or other learning centers.

- **Education Code section 69432.9 – Cal Grant Program**

Districts must notify students enrolled in 11th grade and, for pupils under 18 years of age, his or her parent or guardian, that the students will be deemed Cal Grant applicants unless the students opt out of being automatically deemed a Cal Grant applicant. If 11th grade

³ “Social media” is defined as an electronic service or account, or electronic content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or Internet Web site profiles or locations. (Education Code section 49073.6(a)(2).)



students do not opt out,⁴ their grade point average will be submitted electronically. This written notice must be provided to all 11th grade students, and their parents (for students who are under 18), by January 1 of the student's 11th grade year. The notice must specify the process and time by which students may opt out within a set period of time, but not less than 30 days. The notice must indicate when the school will send grade point averages to the commission and the submission deadline of October 1.

- **Health and Safety Code sections 120325 & 120335 – Immunizations**

Immunizations are discussed in the Annual Notice to Parents under “Communicable Diseases.” However, districts may want to provide supplemental information detailing the specifics of the immunization requirements due to the impact it may have on students. The law requires all students entering kindergarten, including transitional kindergarten, or advancing from sixth to seventh grade in the district, or prior to his or her first admission to the district, to comply with the immunization requirements of Health and Safety Code section 120335, unless the student provides the district with a valid exemption from a licensed physician. New personal-belief exemptions filed with the district will no longer be accepted. Documented immunizations appropriate for each student's age include (1) Diphtheria, (2) Haemophilus influenzae type b, (3) Measles, (4) Mumps, (5) Pertussis (whooping cough), (6) Poliomyelitis, (7) Rubella, (8) Tetanus, (9) Hepatitis B, (10) Varicella (chickenpox), and any other diseases deemed appropriate by the department. Students qualified for an individualized education program may access special education and related services. Full immunization against Hepatitis B shall not be a condition of admittance to 7th grade. All students entering 7th through 12th grades must be immunized with a pertussis (whooping cough) vaccine booster called Tdap. This affects all students – current, new, and transfers – in public and private schools. It is recommended that the immunization notification be included with the Annual Notice to Parents.

- **Education Code section 32221.5 - Pupils Insurance for Athletic Teams**

Requires school districts that elect to operate an interscholastic athletic team(s) to include the following statement, printed in boldface type of prominent size, in all offers of insurance coverage that are sent to members of school athletic teams:

“Under state law school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses.

**Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling _____
[Insert toll-free telephone number].”**

⁴ Until a pupil turns 18 years of age, only a parent or guardian may opt the pupil out. Once a pupil turns 18, only the pupil may opt out.



- **Education Code section 49475 – Concussions and Head Injuries in Athletics**

Requires districts that elect to offer athletic programs to provide, on a yearly basis, a concussion and head injury information sheet, which must be signed and returned by the athlete and the athlete’s parent or guardian before the athlete may initiate practice or competition.

- **Education Code section 48980(m) – Transfer of Student with Felony Conviction**

A school district that elects to adopt a policy regarding the transfer of pupils convicted of a violent felony or misdemeanor, pursuant to Education Code section 48929, shall inform parents or guardians of the policy in the Annual Notice to Parents.

- **Education Code section 49452.8 – Pupil Health: Oral Health Assessment**

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

- **Education Code section 44808.5 – High School Open Campus**

If a school district allows high school students to leave campus at lunchtime, a copy of the following notice must be included as part of the Annual Notice to Parents:

“The governing board of the _____ School District, pursuant to Section 44808.5 of the Education Code, has decided to permit the pupils enrolled at _____ High School to leave the school grounds during the lunch period.”

Section 44808.5 of the Education Code further states:

“Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section.”

- **Education Code section 35211 – Driver’s Training**

School districts that maintain a driver’s training course must advise parents of students participating in the course of the civil liability that will be imposed on the parent or guardian, and insurance coverage carried by the district for such courses, specifically including any limitations of such coverage as it relates to parent liability.



- **Education Code section 11503 – Programs to Encourage Parental Involvement**

Requires school districts to develop parent involvement programs with:

- An annual statement identifying specific objectives of the program.
- An annual review and assessment of the program’s progress in meeting those objectives with the review being made available to parents upon request.

- **Title 20 of the United States Code section 1232h – Protection of Pupil Rights**

The Protection of Pupil Rights (“PPRA”) requires that districts develop policies that obligate them to obtain prior written consent from parents prior to their student participating in a survey containing one or more of the following items:

- (1) political affiliations or beliefs of the student or the student's parent;
- (2) mental or psychological problems of the student or the student's family;
- (3) sex behavior or attitudes;
- (4) illegal, anti-social, self-incriminating, or demeaning behavior;
- (5) critical appraisals of other individuals with whom respondents have close family relationships;
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- (7) religious practices, affiliations, or beliefs of the student or student's parent; or
- (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The PPRA requires that school districts provide parents with annual notice of these policies and parents’ rights under the policies, including the process to opt their children out of participation in certain activities, and the dates during the school year when the district schedules: (a) surveys requesting personal information; (b) physical examinations or screenings; and (c) collection of personal information from students for marketing or sale.

California has also adopted a similar requirement to the PPRA in Education Code section 51513, which requires written parent consent prior to their students participating in a survey, test, questionnaire, or examination regarding the pupil’s or the pupil’s family’s beliefs, morality, and similar issues.

Please contact our office with questions regarding this Legal Update or any other legal matter.
Enclosures

The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.

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Know Your Rights

Your Child has the Right to a Free Public Education

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students' parents or guardians.

- In California:
 - All children have the right to a free public education.
 - All children ages 6 to 18 years must be enrolled in school.
 - All students and staff have the right to attend safe, secure, and peaceful schools.
 - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
 - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality gender, religion, or immigration status, among other characteristics.

Information Required for School Enrollment

- When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

Confidentiality of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If they do, then each year, your child's school district must provide parents/guardians with written notice of the school's directory information policy, and let you know of your option to refuse release of your child's information in the directory.

Family Safety Plans if You Are Detained or Deported

- You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.

Conozcan sus Derechos

Su Hijo/a tiene Derecho a una Educación Pública Gratuita

- Todos los niños en los Estados Unidos tienen un derecho Constitucional a un acceso igualitario a la educación pública gratuita, independientemente de su estatus migratorio y del estatus migratorio de los padres o tutores de los estudiantes.
- En California:
 - Todos los niños tienen derecho a una educación pública gratuita.
 - Todos los niños con edades entre 6 y 18 años deben estar matriculados en la escuela.
 - Todos los estudiantes y miembros del personal tienen derecho a asistir a escuelas adecuadas, seguras y pacíficas.
 - Todos los estudiantes tienen el derecho a estar en un entorno de aprendizaje de una escuela pública libre de discriminación, acoso, abuso, violencia e intimidación.
 - Todos los estudiantes tienen igualdad de oportunidades para participar en cualquier programa o actividad ofrecida por la escuela, y no puede existir discriminación en base a su raza, nacionalidad, género, religión ni estatus migratorio, entre otras características.

Información Requerida para la Matriculación Escolar

- Cuando se matricula a un niño/a, las escuelas deben aceptar diversos documentos de los padres o tutores del estudiante, para demostrar prueba de edad o residencia del niño/a.
- Ustedes nunca tienen que proporcionar información sobre su estatus de ciudadanía/migratorio para que su hijo/a se matricule en la escuela. Asimismo, ustedes nunca tienen que proporcionar un número de Seguridad Social para que su hijo/a se matricule en la escuela.

Confidencialidad de la Información Personal

- Las leyes federales y estatales protegen los registros educativos e información personal de los estudiantes. Estas leyes requieren que las escuelas obtengan permiso por escrito de los padres o tutores antes de publicar información estudiantil, a menos que la publicación de información sea con propósitos educativos, ya sea pública, o como respuesta a una orden judicial o requerimiento legal.
- Algunas escuelas reúnen información y proporcionan públicamente “información de directorio” básica de los estudiantes. Si lo hacen, entonces, cada curso, el distrito escolar de su hijo/a debe proporcionar a los padres/tutores notificación por escrito sobre la normativa de información del directorio del distrito, e informarles sobre su opción de negarse a publicar la información de su hijo/a en el directorio.

Planes de Seguridad Familiar si son Detenidos o Deportados

- Ustedes tienen la opción de proporcionar a la escuela de su hijo/a información de contacto en caso de emergencia, inclusive la información de contactos secundarios, para identificar un adulto de confianza que puede cuidar de su hijo/a en el caso de que sean detenidos o deportados.
- Ustedes tienen la opción de completar una Declaración Jurada de Autorización de Cuidador o una Petición de Nombramiento de Tutor Temporal de la Persona, que puede permitir a un adulto de confianza tomar decisiones educativas y médicas en nombre de su hijo/a.

Derecho a Presentar una Reclamación

- Su hijo/a tiene derecho a informar sobre un crimen de odio o presentar una reclamación ante el distrito escolar si se está viendo discriminado, intimidado o acosado en base a su nacionalidad, etnia o estatus migratorio real o percibido.

**ANNUAL NOTICE TO PARENTS
2018-2019**

DEAR PARENT/GUARDIAN:

Section 48980 of the Education Code of California requires that notice be given at the beginning of the first semester or quarter of the regular school term to the parent or guardian of the minor pupils in the school district regarding the rights of the parent or guardian under sections 32390, 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, 51938, Chapter 2.3 (commencing with section 32255) of Part 19, and notice of the availability of the program prescribed by Article 9 (commencing with section 49510) of Chapter 9 and of the availability of individualized instruction under section 48206.3. Section 48982 requires that this Notice be signed and returned by the parent or guardian to the school. Signature and return of the attached form is acknowledgement by the parent or guardian that he or she has been informed of his or her rights but does not indicate that consent to participate in any particular program has either been given or withheld. Pursuant to parent request, the annual notification may be provided to the parent or guardian in electronic format by providing access to the notice electronically. If the notice is provided in electronic format, the parent or guardian must submit to the school a signed acknowledgment of receipt of this notice.

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

Accordingly, you are hereby notified as follows (when used in this notification "parent" includes a parent or legal guardian):

STUDENT DISCIPLINE

RULES AND PROCEDURES ON SCHOOL DISCIPLINE (EC §35291):

Rules pertaining to student discipline, including those that govern suspension or expulsion, are set forth in Education Code Sections 48900 and following, and are available upon request from the school. In addition, the following disciplinary information is provided to parents:

DUTY CONCERNING CONDUCT OF PUPILS (EC §44807): Every teacher shall hold pupils accountable for their conduct on the way to and from school, and on the playground.

DUTIES OF PUPILS (5 CCR §300): Pupils must conform to school regulations, obey all directions, be diligent in study, be respectful of teachers/others in authority, and refrain from profane/vulgar language.

HAZING PROHIBITION (EC §48900(q)): Pupils and other persons in attendance are prohibited from engaging or attempting to engage in hazing.

DRESS CODE/GANG APPAREL (EC §35183): The district is authorized to adopt a reasonable dress code.

ATTENDANCE OF SUSPENDED PUPIL'S PARENT (EC §48900.1; LC §230.7): If a teacher suspends a student, the teacher may require the child's parent to attend a portion of the school day in his or her child's class. Employers may not discriminate against parents who are required to comply with this requirement.

SCHOOL ACCOUNTABILITY REPORT CARD (EC §35256, 35258): Districts are to make a concerted effort to notify parents of the purpose of school accountability report cards, and ensure that all parents have access to a copy.

SAFE PLACE TO LEARN ACT (EC §234.1): The district is committed to maintaining a learning and working environment that is free from bullying, as defined in EC §48900(r). Any student who engages in bullying of anyone in or from the district may be subject to disciplinary action up to and including expulsion. The district's policies and process for filing a complaint should be publicized to pupils, parents, employees and agents of the governing board. The notice shall be in English and in the primary language of the recipient. For a copy of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies or to report incidences of bullying please contact the district office. These policies shall be posted in schools and offices.

SCHOOL RECORDS AND ACHIEVEMENT

PUPIL RECORDS/NOTICE OF PRIVACY RIGHTS OF PARENTS AND STUDENTS (EC §49063 et seq., §49069, §49073, 34 CFR 99.30, 34 CFR 99.34, and the federal Family Educational Rights and Privacy Act):

Federal and state laws concerning student records grant certain rights of privacy and right of access to students and to their parents. Full access to all personally identifiable written records maintained by the school district must be granted to: (1) Parents of students 17 and younger; (2) Parents of students age 18 and older if the student is a dependent for tax purposes and the records are needed for a legitimate educational purpose; (3) Students age 18 and older, or students who are enrolled in an institution of postsecondary instruction (called "eligible students"); (4) Pupils age 14 and over who are identified as both homeless and an unaccompanied youth; (5) Individuals who have completed and signed a Caregiver's Authorization Affidavit.

Parents, or an eligible student, may review individual records by making a request to the principal. Districts must respond to a pupil record request by providing access no later than five business days following the date of the request. The principal will see that explanation and interpretations are provided if requested. Information that is alleged to be inaccurate or inappropriate may be removed upon request. In addition, parents or eligible students may receive a copy of any information in the records at reasonable cost per page. District policies and procedures relating to: location of, and types of records; kinds of information retained; availability of certificated personnel to interpret records if requested; persons responsible for records; directory information; access by other persons; review and challenge of records are available through the principal at each school. When a student moves to a new district, records will be forwarded upon the request of the new school district within ten school days. At the time of transfer, the parent or eligible student may review, receive a copy (at a reasonable fee), and/or challenge the records.

If you believe the district is not in compliance with federal regulations regarding privacy, you may file a complaint with the United States Department of Education (20 USC §1232g).

You have the right to inspect all instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any applicable program.

RELEASE OF PUPIL DIRECTORY INFORMATION (EC §49073, 34 CFR 99.37): The district also makes student directory information available in accordance with state and federal laws. This means that each student's name, birth date, address, telephone number, email address, major course

of study, participation in officially recognized school activities, dates of attendance, degrees and awards received, and most recent previous public or private school attendance may be released in accordance with board policy. In addition, height and weight of athletes may be made available. Appropriate directory information may be provided to any agency or person except private, profit-making organizations (other than employers, potential employers or the news media). Names and addresses of seniors or terminating students may be given to public or private schools and colleges. Parents and eligible students will be notified prior to the destruction of any special education records. You have the right to inspect a survey or other instrument to be administered or distributed to your child that either collects personal information for marketing or sale or requests information about beliefs and practices and any instructional material to be used as part of your child's educational curriculum. Please contact your child's school if you wish to inspect such a survey or other instrument.

Upon written request from the parent of a student age 17 or younger, the district will withhold directory information about the student. If the student is 18 or older or enrolled in an institution of postsecondary instruction and makes a written request, the student's request to deny access to directory information will be honored. Requests must be submitted within 30 calendar days of the receipt of this notification. (See attached form.) Additionally, directory information related to homeless or unaccompanied youths will not be released without the express written consent for its release by the eligible pupil or guardian.

RELEASE OF INFO TO MILITARY SERVICES REPS / RELEASE OF TELEPHONE NUMBERS (EC §49073.5; 20 USC §7908): Parents of secondary students may request in writing that the student's name, address, and telephone listing not be released to armed forces recruiters without prior written parental consent.

PARTICIPATION IN STATE ASSESSMENTS AND OPTION TO REQUEST EXEMPTION (EC § 60615, 5 CCR § 852): Pupils in applicable grade levels will participate in the California Assessment of Student Performance and Progress (CAASPP) except as exempted by law. Each year, a parent may submit a written request to excuse his or her child from any or all parts of the CAASPP assessments for that school year. If the parent submits the exemption request after testing begins, any test(s) completed before the request is submitted will be scored; the results will be included in the pupil's records and reported to the parent. School district employees will not solicit or encourage any exemption request on behalf of a pupil or group of pupils.

HIGH SCHOOL CURRICULUM: NOTIFICATION REGARDING COLLEGE PREPARATORY COURSES (EC §51229): Districts are required to provide parents of each minor pupil enrolled in grades 9 to 12 written notice of college admission requirements and career technical education courses.

RELEASE OF STUDENT RECORDS/COMPLIANCE WITH SUBPOENA OR COURT ORDER (EC §§49076 and 49077): Districts are required to make a reasonable effort to notify parents in advance of disclosing student information pursuant to a subpoena or court order.

RELEASE OF STUDENT RECORDS TO SCHOOL OFFICIALS AND EMPLOYEES OF THE DISTRICT (EC §§49076(a)(1) and 49064(d)): Districts may release educational records, without obtaining prior written parental consent, to any school official or employee, which would include accountants, consultants, contractors, or other service providers, who have a legitimate educational interest in the educational record.

HEALTH SERVICES

CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM (H&SC §124085): Physical examinations are required as a prerequisite for enrollment in the first grade. Free health screening may be available

through the local health department. Failure to comply with this requirement or sign an appropriate waiver may result in exclusion of your child from school for up to five days.

PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT (EC §49451): A child may be exempt from physical examination whenever the parents file, annually, a written statement with the school principal stating that they will not consent to routine physical exam of their child. Whenever there is good reason to believe the child is suffering from a recognized contagious disease, the child will be excluded from school attendance.

VISION APPRAISAL (EC §49455): The district is required to appraise each student's vision during kindergarten, upon initial enrollment, and in grades 2, 5, and 8. Appraisal in the year immediately following a student's first enrollment in grades 4 or 7 shall not be required. The appraisal shall include tests for visual acuity, near vision, and color vision; however, color vision shall be appraised once and only on male students. The evaluation may be waived upon presentation of a certificate from a physician, surgeon, physician's assistant, or optometrist setting out the results of a determination of the student's vision, including visual acuity and color vision. This appraisal is not required if a parent files a written objection based on a religious belief with the principal.

SCOLIOSIS SCREENING NOTICE (EC §§49451 and 49452.5): In addition to the physical examinations required pursuant to Sections 100275, 124035 and 124090 of the Health and Safety Code, the district may provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis.

DENTAL FLUORIDE TREATMENT (H&SC §104830 et seq.): Pupils will be provided the opportunity to receive the topical application of fluoride or other decay-inhibiting agent to each pupil's teeth if the parent, or eligible pupil submits a letter stating that the treatment is desired.

PUPIL NUTRITION/NOTICE OF FREE AND REDUCED PRICE MEALS (EC §§48980(b), 49510, 49520 and 49558): Needy children may be eligible for free or reduced price meals. Details, eligibility criteria, and applications to participate in a free or reduced price meal program if it is available are available at your child's school. Individual records pertaining to student participation in any free or reduced-price meal program may, under appropriate circumstances, be used by school district employees to identify students eligible for public school choice and services pursuant to the federal Every Student Succeeds Act. When a household is selected for verification of eligibility for free and reduced meals, the District must notify the parent that their child(ren)'s eligibility is being verified.

COMMUNICABLE DISEASES (EC §48216 and 49403): The district is authorized to administer immunizing agents to pupils whose parents have consented in writing to the administration of such immunizing agent. The district is required to exclude pupils who have not been properly immunized pursuant to Health and Safety Code 120325 and 120335. The district must notify parents that they have two weeks to supply evidence either that the pupil has been properly immunized or is exempted from the requirement. All students entering kindergarten, advancing from sixth to seventh grade in the district, or prior to his or her first admission to the district, will be required to comply with the immunization requirements of Health and Safety Code section 120335, unless the student provides the district with a valid exemption from a licensed physician. No new personal belief exemptions will be accepted. Students with personal-belief exemptions on file with the district as of January 1, 2016, shall be allowed to continue enrollment until entering the next grade span in the district. Grade spans are defined as birth through preschool, K-6, including transitional kindergarten, and 7-12. Students qualified for an individualized education program may access special education and related services as required by his or her individualized educational program.

MEDICATION (EC §49423, §49423.1): Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the

physician and a parental request for assistance in administering the medication. Students may also carry and self-administer prescription auto-injectable epinephrine and prescription inhaled asthma medication upon the school's receipt of specified written confirmation with instructions for self-administration and authorization from the student's parent and physician or surgeon. The parent must release the school district and personnel from liability for any harm resulting from the self-administered medication, and provide a release for authorized school personnel to consult with the physician or surgeon.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS (EC §§49471 and 49472): The district is required to notify parents in writing if it does not provide or make available medical and hospital services for students injured while participating in athletic activities. The district is also authorized to provide medical or hospital services through non-profit membership corporations or insurance policies for student injuries arising out of school-related activities.

AVAILABILITY OF INDIVIDUALIZED INSTRUCTION/PRESENCE OF PUPIL WITH TEMPORARY DISABILITY IN HOSPITAL (EC §§48206.3, 48207-48208): Individualized instruction is available to students with temporary disabilities whose disability makes attendance in the regular day classes or alternative education program in which the student is enrolled impossible or inadvisable. Parents of students hospitalized or with a temporary disability shall notify the school district where the student receives care if an individualized instruction program is desired.

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

SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN (EC §35183.5): School sites must allow for outdoor use of sun-protective clothing and must allow students to use sunscreen, without a prescription or physician's note, during the school day.

ASBESTOS (40 CFR 763.84, 40 CFR 763.93): The district has a plan for eliminating health risks that are created by the presence of asbestos in school buildings. It may be reviewed at the district office. At least once each year, the district will notify parents of inspections, response actions, and post-response action activities that are planned or in progress.

USE OF PESTICIDES (EC §§17611.5, 17612 and 48980.3): School districts are required to inform parents about the use of pesticides on school grounds and provide access to the integrated pest management plan when certain pesticides are used. (*See attached.*)

COMPREHENSIVE SCHOOL SAFETY PLAN (EC §§32280 et seq.): Each school is required to report on the status of its school safety plan, including a description of its key elements, in the annual school accountability report card (SARC). The planning committee is required to hold a public meeting to allow members of the public the opportunity to express an opinion about the school plan. The planning committee shall notify specified persons and entities in writing.

NOTICE OF COMPLIANCE (EC §32289): A complaint of noncompliance with the school safety planning requirements may be filed with the State Department of Education under the Uniform Complaint Procedures (5 CCR 4600 et seq.).

TOBACCO FREE SCHOOLS (HS §104420): Use of tobacco products at any time by students, staff, parents, or visitors, is strictly prohibited in

district-owned or leased buildings, on district property, and in district vehicles. This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Prohibited products include any product containing tobacco or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic cigarettes that can deliver nicotine and nonnicotine vaporized solutions. Exceptions may be made for the use or possession of prescription nicotine products. Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

STUDENT SERVICES

MINIMUM AGE OF ADMISSION TO KINDERGARTEN (EC §48000): A child shall be eligible for enrollment in kindergarten at the beginning of the school year or at a later time in the same year, if the child has his or her fifth birthday, respectively, on or before September 1. Any child who will have his/her birthday between September 2 for the applicable school year and December 2 shall be offered a transitional kindergarten program in accordance with law and district policy. On a case-by-case basis, a child who has reached age five after the date listed above but before the end of the applicable school year, may be admitted to kindergarten with the approval of the child's parent and subject to board approval in accordance with EC §48000.

PROSPECTUS OF SCHOOL CURRICULUM (EC §49091.14): The curriculum of every course offered by the schools of the district is compiled annually by each school in a prospectus. Each school prospectus is available for review upon request at each school site. Copies are available upon request for a fee not to exceed the actual copying cost.

MULTILINGUAL EDUCATION (EC §310): If the district implements a language acquisition program pursuant to EC §310, information on the types of language programs available and a description of each program will be made available with this notice or upon enrollment.

SPECIAL EDUCATION (IDEA): State and federal law requires that a free appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. More information concerning student eligibility, parental rights and procedural safeguards are available upon request.

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

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

SECTION 504/DISABLED PUPILS (Section 504 of the Rehabilitation Act of 1973): Federal law requires the district to annually notify disabled pupils and their parents of the district's non-discriminatory policy and duty under Section 504 of the Rehabilitation Act.

STATEMENT OF NONDISCRIMINATION (Title VI of the Civil Rights Act of 1964; Title IX of the U.S. Education Amendments of 1972; Americans with Disabilities Act; Section 504 of the Vocational Rehabilitation Act of 1973; EC §200 et seq.): The district does not discriminate on the basis of gender, gender identity, gender expression,

sex, race, color, religion, national origin, ethnic group identification, age, genetic information, mental or physical disability, sexual orientation, immigration status, or the perception of one or more of such characteristics. The district's policy of nondiscrimination requires notification in native language if the district's service area contains a community of minority persons with limited English language skills. Notification must state that the district will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging noncompliance with this policy should be directed to the school principal. Appeals may be made to the district superintendent. A copy of the district's nondiscrimination policy is available upon request.

EDUCATIONAL EQUITY REGARDLESS OF IMMIGRATION STATUS, CITIZENSHIP, OR RELIGION (EC §234.7): Children have a right to a free public education, regardless of immigration status, citizenship status, or religious beliefs. When enrolling a child, schools must accept a variety of documents from the student's parent to demonstrate proof of child's age or residency. No information about citizenship/immigration status or Social Security number is required to enroll in school. Parents have the option to provide a school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for a minor student in the event the parent is detained or deported. Parents have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for a minor student. Students have the right to report a hate crime or file a complaint to the school district if they are discriminated against, harassed, intimidated, or bullied on the basis of actual or perceived nationality, ethnicity, or immigration status. The California Attorney General's website provides "know your rights" resources for immigrant students and family members online at <https://oag.ca.gov/immigrant/rights>.

FINGERPRINTING PROGRAM (EC §32390): Districts are authorized to offer fingerprinting programs for children enrolled in kindergarten or newly enrolled in the district. If the district has adopted such a program, you will be notified of procedures, applicable fee and your right to decline your child's participation upon your child's initial enrollment.

CHILDREN IN HOMELESS SITUATIONS (42 USC §11431-11435): Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations.

SEX / HIV EDUCATION

INSTRUCTION IN COMPREHENSIVE SEXUAL HEALTH EDUCATION AND HIV PREVENTION (EC §51938): The district shall annually notify parents about instruction in comprehensive sexual health education and HIV prevention education and research on student health behaviors and risks planned for the school year. Written and audiovisual educational materials used in such education are available for inspection. If arrangement for the instruction is made after the beginning of the school year, parents will be notified no fewer than 14 days prior to the commencement of any such instruction if the district elects to provide the instruction by outside consultants in class or during an assembly. The notice must include the date of instruction, the name of the organization or affiliation of each guest speaker and information stating that the parent has the right to request a copy of the law pertaining to such instruction. Parents have the right to excuse his or her child from all or part of the comprehensive sexual health and HIV prevention education by submitting a written request to the district. Those students whose parents do not submit a written request to excuse them will receive such instruction. The law also authorizes the district, without prior parental consent, to use anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests,

questionnaires, and surveys containing age appropriate questions in grades 7 to 12 about the student's attitudes concerning or practices relating to sex. The district must notify parents in writing before any such test, questionnaire, or survey is administered and provide them with an opportunity to review the materials. Parents have the right to excuse his or her child from such participation by submitting a written request to the school district.

HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS (EC §51240): Upon written request of a parent, students shall be excused from part of any school instruction in health if it conflicts with the religious training and beliefs of a parent.

SCHOOL ATTENDANCE/ATTENDANCE ALTERNATIVES

California law (EC §48980(g)) requires all school boards to inform each student's parent at the beginning of the school year of the various ways in which they may choose schools for their children to attend other than the ones assigned by school districts. Students who attend schools other than those assigned by the districts are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the district which the parent lives (intradistrict transfer), and potentially three separate processes for selecting schools in other districts (interdistrict transfer). The general requirements and limitations of each process are described as follows:

Choosing a School Within District in Which Parent Lives:

The law (EC §35160.5(b)) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows:

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- In cases in which there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student's academic or athletic performance as a reason to accept or reject a transfer.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
- A district is not required to provide transportation assistance to a student that transfers to another school in the district under these provisions.
- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

Choosing a School Outside District in Which Parent Lives:

Parents have three different options for choosing a school outside the district in which they live. The three options are:

Option 1: Districts of Choice (EC §§48300 through 48315): The law allows, but does not require, each school district to become a "district of choice" – that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. If the school board of a district decides to become a "district of choice" it must determine the number of students it is willing to accept in this category each year and accept all pupils who apply to transfer until the

school district is at maximum capacity. The school district of choice shall ensure that pupils admitted under this article are selected through an unbiased process, that prohibits consideration of factors such as academic or athletic performance, physical conditions, or proficiency in English. If the district chooses not to become a "district of choice," a parent may not request a transfer under these provisions. Other provisions of the "district of choice" option include:

- Either the district a student would transfer to or the district a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. A district of choice cannot deny a transfer request on the basis that the costs to provide services exceeds the revenue received, but it may reject a request if doing so would require the creation of a new program. However, the district of choice may not deny the transfer of any special needs student, including an individual with exceptional needs, or an English Learner student even if the cost to educate the student exceeds the revenue received or the creation of a new program is required. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- Communications to parents by a school district of choice shall be factually accurate and shall not target students based upon academic ability, athletic performance, or other personal characteristics.
- The district of choice must post transfer application information on its website, including any applicable forms, the timeline for a transfer, and an explanation of the selection process.
- All communications from a school district of choice regarding transfer opportunities must be available in all languages for which translations are required in the school district of residence under EC §48985.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Entrance priority must be given as follows:
 - Siblings of students already attending school in the "district of choice" must be given first priority.
 - Pupils eligible for free or reduced-price meals must be given second priority.
 - Children of military personnel must be given third priority.
- A parent may request transportation assistance within the boundaries of the "district of choice." The district is required to provide transportation only to the extent it already does so.
- A school district in which an active military duty parent of a student resides shall not deny the transfer of that student to a school in any district, if the school district to which the parent of the student applies approves the application for transfer.

Option 2: Other Interdistrict Transfers (EC §46600 et seq.): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. Districts of residence may not deny a transfer of a student whose parent is active duty military where the district of proposed enrollment approves the application. The law on interdistrict transfers also provides for the following:

- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.

Option 3: Parental Employment in Lieu of Residency Transfers (EC §48204(b)): If at least one parent of a student is physically employed in the boundaries of a school district other than the one in which they live

for a minimum of 10 hours during the school week, the student may be considered a resident of the school district in which his/her parents work. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race, ethnicity, sex, parental income, academic achievement, or any other "arbitrary" consideration. Other provisions of EC §48204(b) include:

- Either the district in which the parent lives or the district in which the parent works may prohibit the student's transfer if it negatively impacts a desegregation plan.
- The district in which the parent works may reject a transfer if it determines that the cost of educating the student would be more than the amount of government funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent the specific reasons for denying the transfer.

Open Enrollment Act (EC §48350 et seq.)

Whenever a student is attending a district school on the Open Enrollment List, as identified by the Superintendent of Public Instruction, he/she may apply to transfer to another school within or outside of the district, if the school to which he/she is transferring has a higher Academic Performance Index. Districts with a school on the List must notify the parents at that school on or before the first day of the school year of their option to transfer to another public school. Information regarding the application process and applicable deadlines can be obtained from the district office.

This summary provides an overview of the laws applicable to school attendance for each alternative. Additional information is available upon request.

NOTICE OF ALTERNATIVE SCHOOLS (EC §58501): State law authorizes all school districts to provide for alternative schools. Education Code section 58500 defines an alternative school as a school or separate class group within a school that is operated in a manner designed to:

- (1) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- (2) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- (3) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- (4) 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.
- (5) 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, student, 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 area shall have copies of the law available for your information. This law particularly authorizes interested persons to request that the governing board of the district to establish alternative school programs.

GRADE REDUCTION/LOSS OF ACADEMIC CREDIT (EC §48980(i)): No student shall have his/her grade reduced or lose academic credit for any

excused absence pursuant to EC §48205 for missed assignments/tests that can reasonably be provided/completed.

ABSENCES FOR CONFIDENTIAL MEDICAL SERVICES (EC §46010.1): Students in grades 7-12 and their parents are notified that the law permits schools to excuse students for the purpose of obtaining confidential medical services without parental consent. District policy regarding excusing such absences is available upon request.

ABSENCE FOR RELIGIOUS INSTRUCTION (EC §46014): Districts may allow pupils with parent consent to be excused to participate in religious exercises/instruction.

NOTICE OF MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS (EC §48980(c)): The district is required to annually notify parents of its schedule(s) of minimum days and student-free staff development days at the beginning of the year or as early as possible, but no later than one month prior to the scheduled minimum or student-free day. (See *attached*.)

MISCELLANEOUS

NON-MANDATORY PROGRAMS FOR PARENTAL/PUPIL PARTICIPATION (EC §49091.18): Schools may not require a student or student's family to submit to or participate in any assessment, analysis, evaluation, or monitoring of the quality or character of student home life, parental screening or testing, nonacademic home-based counseling program, parent training, or prescribed family educational service plan.

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

SEXUAL HARASSMENT POLICY (EC §231.5; 5 CCR §4917): Each district is required to have adopted a written policy on sexual harassment, and shall provide a copy of such policy, as it pertains to students, with the annual notification. (See *attached*.) Districts are also required to display such policies in a prominent location and include it in orientation for employees and students.

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

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

EVERY STUDENT SUCCEEDS ACT (20 USC §6301 et seq.): Under ESSA, parents have the following rights:

- **Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides:** Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects she/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether she/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications. The district shall also notify parents if their child has been assigned to or has been taught for 4 or more consecutive weeks by a teacher who is not highly qualified.

- **Information Regarding Individual Student Reports on Statewide Assessments:** Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.
- **Limited English Proficient Students:** The Act requires prior notice be given to parents of English learners regarding limited English proficiency programs, including the reasons for the identification of the student as an English learner, the need of placement in a language instruction educational program, the student's level of English proficiency, how such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for English learners.
- **Program Improvement Schools:** Parents shall be notified when their child's school is identified as a "program improvement" school and the opportunities for school choice.

The information provided above is available upon request from your child's school or the district office. Additional notices that may be required under the Every Student Succeeds Act shall be sent separately.

UNIFORM COMPLAINT PROCEDURES (5 CCR §4622): The district is required to annually notify parents, pupils, employees, district and school advisory committees and other interested parties in writing of its required Uniform Complaint Procedures. (See *attached*.)

SCHOOL BUSES/PASSENGER SAFETY (EC §39831.5): Districts are required to provide safety regulations to all new students and students who have not previously been transported by school bus.

MEGAN'S LAW NOTIFICATION (PENAL CODE §290.4): Parents and members of the public have the right to review information regarding registered sex offenders at the main office of the local law enforcement agency for this school district.

EXCUSED ABSENCES (EC §48205)

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to the pupil's illness.
 - (2) Due to quarantine under the direction of a county/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 the pupil's 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 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.

(10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the 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 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 that set forth in section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

INVESTING FOR FUTURE EDUCATION (EC §48980(d)):

Parents are advised of the importance of investing for higher education for their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.

COMPLAINTS CONCERNING DEFICIENCIES RELATED TO

INSTRUCTIONAL MATERIALS, ETC. (EC §35186): A Uniform Complaint process is available to help identify and resolve deficiencies related to instructional materials, emergency or urgent facility conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment. Notice of the complaint process and location at which to obtain a complaint form should be posted in the classrooms.

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

PUPIL FEES (EC §49010 et seq.): The district is required to establish policies concerning the provision of a free education to pupils. The district is also required to establish policies for filing a complaint of noncompliance under this section using the Uniform Complaint Procedures. Notice of the district's fee policies and complaint process shall be provided to pupils, parents, and employees on an annual basis.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (EC §§52060-52077):

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

1. Providing all students access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities;

2. Implementation of and student access to state academic content and performance standards;
3. Parent involvement and participation;
4. Improving student achievement and outcomes along multiple measures;
5. Supporting student engagement;
6. Highlighting school climate and connectedness;
7. Ensuring all students have access to a broad course of study;
8. Measuring other important student outcomes related to required areas of study;
9. Coordinating instruction for expelled students; and
10. Coordinating services for foster children.

The Board of Education is required to establish a parent advisory committee (PAC) and English learner parent advisory committee (ELPAC) to provide advice to the Board of Education and the superintendent regarding the LCAP. (ELPACs are required if enrollment in the school district includes at least 15% English learners and the district enrolls at least 50 pupils who are English learners. Districts are not required to establish a new ELPAC if an English learner parent committee has already been established). PACs shall include parents of low income students, English learner students, and foster youth.

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

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

Districts are required to post on the school district website the LCAP approved by the Board of Education and any updates or revisions to the LCAP, and establish policies for filing a complaint of noncompliance under EC §52075 using the Uniform Complaint Procedures. Information regarding the requirements for a Local Control and Accountability Plan and the complaint process shall be provided to pupils, parents, and employees on an annual basis.

ACKNOWLEDGEMENT OF PARENT OR GUARDIAN OF ANNUAL RIGHTS NOTIFICATION

Detach, sign, and return this page to your child's school indicating that you have been notified of the specified activities and whether you have a child on continuing medication.

This annual notification is also available in an electronic format and can be provided to you upon request. If the notice is provided in an electronic format, the parent or guardian shall submit to the school this signed acknowledgement of receipt of the notice.

Student's Name: _____

School: _____ Grade: _____

I hereby acknowledge receipt of information regarding my rights, responsibilities, and protections.

Signature of Parent or Guardian: _____ Date: _____

PLEASE COMPLETE THE FOLLOWING IF APPLICABLE:

1. Student is on a continuing medication program as prescribed by a physician: (Please check one) YES _____ NO _____

If YES, you have my permission to contact student's physician:

Physician's Name: _____ Telephone: _____

Medication: _____ Dosage: _____

Medication: _____ Dosage: _____

2. If you do not wish directory information released, please sign where indicated below and ensure receipt of this form by the school office **within the next 30 days**. Note that this will prohibit the district from providing the student's name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

Do NOT release directory information regarding _____ (Pupil's Name) _____ (Date of Birth)

School: _____ Grade: _____

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

Signature of Parent or Guardian: _____ (Date)

3. By signing below, you give the district **permission to have photographs of your student in the yearbook** and other school related publications.

Student's Name: _____

School: _____ Grade: _____

Signature of Parent or Guardian: _____ Date: _____

AVISO ANUAL PARA LOS PADRES 2018-2019

ESTIMADO/A PADRE/MADRE/TUTOR/TUTORA:

La sección 48980 del Código de Educación de California requiere que se envíe al principio del primer semestre o trimestre del término regular de escuela un aviso a los padres o tutores de los estudiantes menores en el distrito escolar acerca de los derechos de los padres o tutores de acuerdo con las secciones 32390, 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, 51938, Capítulo 2.3 (comenzando con la sección 32255) de la Parte 19, y que dé aviso de la disponibilidad del programa prescrito por el Artículo 9 (comenzando con la sección 49510) del Capítulo 9 y de la disponibilidad de instrucción individualizada bajo la sección 48206.3. La sección 48982 requiere que este Aviso se devuelva a la escuela firmado por el padre/tutor. La firma y entrega del formulario adjunto sirve de confirmación que el padre/tutor lo ha leído y que ha sido informado de sus derechos, pero no indica que ha dado o negado consentimiento para la participación en cualquier programa en particular. Conforme a la petición de los padres, el aviso anual puede darse a los padres o tutores de forma electrónica dando acceso electrónico al aviso. Si el aviso se proporciona de forma electrónica, el padre o tutor debe entregar a la escuela la confirmación de recibo de este aviso.

Alguna legislación requiere notificación adicional a los padres o tutores durante el término de la escuela o al menos 15 días antes de una actividad específica. (Se enviará a los padres o tutores una carta separada antes de cualquiera de estas clases o actividades específicas, y el estudiante será disculpado siempre que los padres o tutores hayan presentado al director de escuela una petición por escrito pidiendo que su hijo no participe.) Otra legislación otorga ciertos derechos según están expuestos en este formulario.

Por consiguiente, le avisamos de lo siguiente (cuando se usa en este aviso, "padre" incluye al padre, madre o tutor legal):

DISCIPLINA DE ESTUDIANTES

REGLAS Y PROCEDIMIENTOS DE LA DISCIPLINA ESCOLAR (EC §35291):

Las reglas acerca de la disciplina de estudiantes, incluyendo las que gobiernan la suspensión o expulsión, se delinean en el Código de Educación, secciones 48900 y siguientes, y están disponibles en la escuela con solo pedirlo. Además, se da a los padres la siguiente información acerca de la disciplina:

RESPONSABILIDAD EN CUANTO A LA CONDUCTA DE ESTUDIANTES (EC §44807): Cada maestro mantendrá responsable a cada estudiante de su propia conducta al ir y venir de la escuela, y en el patio de recreo.

RESPONSABILIDADES DE ESTUDIANTES (5 CCR §300): Los estudiantes deben seguir las reglas escolares, obedecer todas las direcciones, ser diligentes en el estudio, ser respetuosos con sus maestros y otros de autoridad, y abstenerse de decir profanidades o vulgaridades.

PROHIBICION DE NOVATADAS/RITOS DE INICIACION (EC §48900(q)): Se prohíbe a los estudiantes y otras personas en asistencia participar o intentar participar en novatadas o ritos de iniciación.

CODIGO DE VESTIR/ROPA DE PANDILLA (EC §35183):

El distrito está autorizado para adoptar normas de vestir razonables.

ASISTENCIA DEL PADRE DEL ESTUDIANTE SUSPENDIDO (EC §48900.1; LC §230.7): Si un maestro suspende a un estudiante, el maestro puede requerir que el padre del estudiante asista a la clase de su hijo durante una parte del día escolar. Los empleadores no pueden discriminar contra los padres a quienes se les requiere cumplir con este requisito.

INFORME DE RESPONSABILIDAD ESCOLAR (EC §35256, 35258): Los distritos deben hacer un esfuerzo concertado para notificar a los padres del propósito de los informes de responsabilidad escolar, y asegurar que todos los padres tengan acceso a una copia del informe.

LEY LUGAR SEGURO PARA APRENDER (EC §234.1): El distrito está comprometido a mantener un ambiente de aprendizaje y de trabajo libre de la intimidación, según se define en EC §48900(r). Cualquier estudiante que participe en la intimidación de alguien en o del distrito será sujeto a acción disciplinaria, incluso la expulsión. El distrito debe publicar para los estudiantes, padres empleados y agentes de la mesa directiva las políticas y el proceso para presentar una queja. La notificación debe estar en inglés y en el idioma primario del receptor. Para recibir una copia de las políticas de antidiscriminación, anti-acoso, anti-intimidación, o para reportar incidentes de intimidación por favor póngase en contacto con la oficina del distrito. Estas políticas deberán estar publicadas en las escuelas y oficinas.

RENDIMIENTO Y REGISTROS ESCOLARES

REGISTROS DEL ESTUDIANTE/NOTIFICACION DE DERECHOS DE

PRIVACIDAD DE PADRES Y ESTUDIANTES (EC §49063 et seq., §49069, §49073, 34 CFR 99.30, 34 CFR 99.34, y ley federal de Derechos Educativos y Privacidad de la Familia): Las leyes federales y estatales respecto a registros de estudiantes otorgan ciertos derechos de privacidad y derecho de acceso a estudiantes y sus padres. Se debe dar acceso total a los expedientes escritos individualmente identificables que mantiene el distrito escolar a: (1) Padres de estudiantes de 17 años y menores; (2) Padres de estudiantes de 18 años y mayores si el estudiante es dependiente para propósitos de impuestos y los archivos son necesarios para un propósito legítimo educacional; (3) Estudiantes de 18 años o mayores, o estudiantes matriculados en una institución de instrucción postsecundaria (llamados "estudiantes elegibles"); (4) Estudiantes de 14 años o mayores que se han reconocido como menor no acompañado que carece de hogar; (5) Personas que han completado y firmado una Declaración de Autorización de Persona Responsable del Cuidado del Menor.

Los padres, o un estudiante elegible, pueden revisar registros individuales con solicitarlo al director. Los distritos deben responder a la petición del expediente de un estudiante dando acceso no más de cinco días laborables luego de la fecha de la solicitud. El director se encargará de que se den explicaciones e interpretaciones si se solicitan. Cualquier información que se alega ser incorrecta o inadecuada se puede eliminar con solicitarlo. Además, los padres o estudiantes elegibles pueden recibir una copia de cualquier información en el expediente pagando un coste de copias razonable por cada página. Las políticas y procedimientos del distrito relacionadas a la ubicación y tipos de registros, tipo de información retenida; disponibilidad de personal titulado para interpretar los registros, si se solicita; personas responsables de los registros; información de directorio; acceso por otras personas; y revisión y cuestionar registros están disponibles a través del director de cada escuela. Cuando se traslada un estudiante a un nuevo distrito, se trasladará el expediente dentro del plazo de diez días escolares después de solicitarlo el nuevo distrito. A la hora de trasladarlo, el padre o estudiante elegible podrán revisar, recibir una copia (por una cuota razonable), y/o cuestionar el expediente.

Si usted cree que el distrito no está en cumplimiento con los reglamentos federales de privacidad, usted puede presentar una queja al Depto. de Educación de Estados Unidos (20 USC §1232g).

Usted tiene el derecho de inspeccionar todos los materiales de instrucción que se utilizarán en conexión con cualquier encuesta, análisis, o evaluación como parte de cualquier programa aplicable.

DIVULGACION DE INFORMACION DE DIRECTORIO DE ESTUDIANTES (EC §49073, 34 CFR 99.37): El distrito también mantiene disponible información de directorio de estudiantes de acuerdo con las leyes federales y estatales. Esto significa que el nombre, fecha de nacimiento, lugar de nacimiento, dirección, número de teléfono, dirección de e-mail, curso de estudio principal, participación en actividades escolares oficialmente reconocidas, fechas de asistencia, títulos y premios recibidos, y asistencia más reciente en una escuela pública o privada previa, pueden ser divulgados de acuerdo con la política de la mesa directiva.

Además, se puede dar la estatura y peso de los atletas. Se puede proporcionar información de directorio adecuada a cualquier agencia o persona excepto organizaciones lucrativas privadas (con excepción de empleadores, empleadores potenciales o los medios publicitarios). Se puede dar a las escuelas o universidades públicas o privadas los nombres y direcciones de los estudiantes de 12º grado o estudiantes que cesan sus estudios. Se notificará a los padres y estudiantes elegibles antes de destruir cualquier expediente de educación especial. Usted tiene el derecho de inspeccionar una encuesta u otro instrumento que se administre o distribuya a su hijo que recolecte información personal para marketing o venta o que solicite información acerca de creencias y prácticas, así como cualquier material de instrucción que se use como parte del currículo educacional de su hijo. Por favor contacte a la escuela de su hijo si desea inspeccionar tal encuesta u otro instrumento.

Al recibir una solicitud escrita del padre de un estudiante de 17 años o menor, el distrito no divulgará la información de directorio del estudiante. Si lo solicita por escrito un estudiante de 18 años o mayor o que esté matriculado en una institución postsecundaria, se honrará la solicitud de negar acceso a la información de directorio. Las solicitudes deberán presentarse dentro del plazo de 30 días cronológicos de cuando recibe este aviso. (Ver el formulario adjunto.) Además, la información de directorio relacionada a menores no acompañados o que carecen de hogar no se divulgará sin el expreso consentimiento escrito para divulgarlo por el tutor o estudiante elegible.

DIVULGACION DE INFORMACION A SERVICIOS MILITARES/DIVULGACION DE NUMEROS DE TELEFONO (EC §49073.5; 20 USC §7908): Los padres de estudiantes de secundaria pueden pedir por escrito que no se de a los reclutadores de las fuerzas armadas el nombre, dirección y teléfono del estudiante sin su previo consentimiento escrito.

PARTICIPACION EN EVALUACIONES ESTATALES Y OPCION DE SOLICITAR EXENCION (EC § 60615, 5 CCR § 852): Los estudiantes de los grados aplicables participarán en la prueba estatal de rendimiento y progreso (*California Assessment of Student Performance and Progress*, CAASPP por sus siglas en inglés) excepto cuando lo exencione la ley. Cada año, los padres pueden entregar por escrito una solicitud de exención de su hijo de toda o partes de la prueba CAASPP durante ese curso escolar. Si los padres entregan la solicitud de exención después de comenzar las pruebas, cualquier prueba(s) realizada antes de entregarse la solicitud se calificará; los resultados se incluirán en el expediente del estudiante y se comunicarán a los padres. Los empleados del distrito no ofrecerán ni alentarán solicitudes de exención a nombre de ningún estudiante ni grupo de estudiantes.

CURRICULO DE LA PREPARATORIA: NOTIFICACION ACERCA DE LOS CURSOS DE PREPARACION UNIVERSITARIA (EC§51229): Los distritos están obligados a notificar por escrito a los padres de cada estudiante menor matriculado en los grados 9º a 12º de los requisitos de admisión universitaria y cursos de educación técnica y profesional.

DIVULGACION DE REGISTROS ESTUDIANTILES / CUMPLIMIENTO CON UNA CITACION U ORDEN DE LA CORTE (EC §§49076 y 49077): Se requiere que los distritos hagan un esfuerzo razonable de notificar a los padres de la divulgación de información estudiantil conforme a una citación u orden de la corte.

DIVULGACION DE REGISTROS ESTUDIANTILES A OFICIALES ESCOLARES Y EMPLEADOS DEL DISTRITO (EC §§49076 (A)(1) Y 49064 (D)): Los distritos pueden divulgar registros académicos, sin haber obtenido consentimiento previo por escrito del padre, a cualquier oficial o empleado escolar, incluyendo contables, consultores, contratistas, u otros proveedores de servicios, que tengan un interés educativo legítimo en el expediente académico

SERVICIOS DE SALUD

PROGRAMA PREVENTIVO DE SALUD Y DISCAPACIDADES JUVENILES (H&SC §124085): Los exámenes físicos son un requisito para la matriculación en primer grado. Puede haber una evaluación médica gratis disponible a través del departamento de salud local. La falta de cumplir con este requisito o firmar una exención adecuada podría resultar en que su hijo sea excluido de la escuela durante hasta cinco días.

EXAMEN FISICO/NEGACION DE CONSENTIMIENTO PARENTAL (EC §49451): Un niño puede exentarse del examen físico cuando los padres entreguen anualmente al director una declaración escrita negando

consentimiento para el examen físico rutinario de su hijo. Cuando haya buen motivo de pensar que el niño está sufriendo de una enfermedad contagiosa, será excluido de asistir a la escuela.

REVISIÓN DE LA VISTA (EC §49455): El distrito está obligado a evaluar la vista de cada estudiante durante kindergarten, al inscribirse por primera vez, y en los grados 2, 5, y 8. No se requiere la revisión en el año inmediatamente después de haberse inscrito por primera vez el estudiante en 4º o 7º grado. La evaluación incluirá agudeza visual, miopía y percepción de colores; sin embargo, la percepción de colores se evaluará sólo una vez y sólo en estudiantes varones. La revisión puede ser exencionada con presentar un certificado de un médico, cirujano, asistente de médico, u optometrista que presente los resultados de una determinación de la vista del estudiante, incluyendo la agudeza visual y percepción de colores. Esta revisión no se requiere si los padres han presentado al director de escuela una objeción escrita basada en una creencia religiosa.

NOTIFICACION DE REVISION DE ESCOLIOSIS (EC §§49451 y 49452.5): Además de las evaluaciones físicas requeridas según secciones 100275, 124035 y 12490 del Código de Salud y Seguridad, el distrito puede ofrecer una revisión espinal a todas las niñas de 7º grado y niños de 8º grado para la condición conocida como escoliosis.

TRATAMIENTO DENTAL CON FLUOR (H&SC §104830 et seq.): Los estudiantes tendrán la oportunidad de recibir la aplicación tópica de flúor u otro agente anti-caríes en los dientes si el padre o el estudiante elegible entrega una carta indicando que desea el tratamiento.

NUTRICION DEL ESTUDIANTE / NOTIFICACION DE COMIDAS GRATIS O A PRECIO REDUCIDO (EC §§48980(b), 49510, 49520 y 49558): Los niños necesitados pueden calificar para recibir comida gratis o a precio reducido. Los detalles, criterios de elegibilidad, y aplicaciones para participar en un programa de comidas gratis o a precio reducido están disponibles en la escuela de su hijo. Los registros relacionados a la participación de estudiantes en cualquier programa de comidas gratis o a precio reducido pueden, bajo circunstancias adecuadas, ser utilizadas por empleados del distrito escolar para identificar a estudiantes elegibles para la opción de escuela pública y servicios conforme a la ley federal Cada Estudiante Triunfa (*Every Student Succeeds Act*). Cuando se selecciona un hogar para verificar la elegibilidad para recibir comidas gratis o a precio reducido, el distrito debe avisar a los padres que la elegibilidad de su(s) hijo(s) se está verificando.

ENFERMEDADES CONTAGIOSAS (EC §48216 y49403): El distrito está autorizado para administrar agentes inmunizantes a estudiantes, cuyos padres han dado consentimiento por escrito a la administración de tal agente inmunizante. El distrito está obligado a excluir a estudiantes que no han sido adecuadamente vacunados conforme al Código de Salud y Seguridad 120325 y 120335. El distrito deberá notificar a los padres que tienen dos semanas para presentar un comprobante de que el estudiante ha sido vacunado adecuadamente o que está exencionado del requisito. Se exige que todos los estudiantes empezando en kindergarten, ascendiendo de sexto a séptimo grado en el distrito, o anterior a su primera admisión al distrito, cumplan con los requisitos de inmunización de la sección 120335 del Código de Salud y Seguridad, al no ser que el estudiante presente al distrito una exención válida de un médico licenciado. No se aceptará ninguna exención nueva basada en creencias personales. Los estudiantes con una exención por creencias personales ya archivada con el distrito el 1 de enero de 2016 podrán seguir matriculados hasta empezar en el siguiente intervalo de grados en el distrito. Los intervalos de grado se definen como nacimiento hasta preescolar, K a 6º, incluyendo kinder transicional, y 7º a 12º. Los estudiantes que han calificado para un programa de educación individualizado podrán acceder a su educación especial y servicios relacionados según lo requiera su programa de educación individualizado.

MEDICACIONES (EC §49423, §49423.1): Cualquier estudiante que necesita tomar en la escuela medicaciones recetadas y que desea la ayuda del personal escolar debe entregar las instrucciones escritas del médico y una solicitud de los padres para ayuda en administrar la medicación. Los estudiantes pueden también llevar y administrarse ellos mismos epinefrina auto-inyectable y medicamentos inhalados recetados para el asma cuando la escuela haya recibido una confirmación especificada escrita con instrucciones para la autoadministración y la autorización del padre y médico o cirujano del estudiante. El padre debe liberar al distrito escolar y el personal de cualquier responsabilidad de cualquier daño que pueda resultar del medicamento autoadministrado, y

proporcionar un permiso autorizando al personal escolar autorizado para consultar con el médico o cirujano.

SERVICIOS MEDICOS Y HOSPITALARIOS PARA ESTUDIANTES (EC §§49471 y 49472): Se requiere al distrito que notifique a los padres por escrito si no ofrece o no pone a disposición servicios médicos y hospitalarios para estudiantes que se lesionan mientras participan en actividades atléticas. El distrito está también autorizado para proveer servicios mediante corporaciones no lucrativas o pólizas de seguro para lesiones que sufran los estudiantes derivadas de actividades relacionadas a la escuela.

DISPONIBILIDAD DE INSTRUCCION INDIVIDUALIZADA / PRESENCIA DE UN ESTUDIANTE CON DISCAPACIDAD TEMPORAL EN EL HOSPITAL (EC §§48206.3, 48207-48208):

Hay instrucción individualizada disponible para estudiantes con discapacidades temporales cuya discapacidad resulta en que su asistencia a clases diurnas regulares o programa de educación alternativo en el que está inscrito sea imposible o desaconsejable. Los padres de estudiantes hospitalizados o discapacitados temporalmente deben avisar al distrito escolar en donde está recibiendo cuidado el estudiante si desean un programa de instrucción individualizada.

REGIMEN CONTINUO DE MEDICACION (EC §49480): Los padres de cualquier estudiante en un régimen continuo de medicación debido a una condición no episódica deberá informar a la enfermera escolar y otro personal titulado de la medicación recetada, la dosis actual, y el nombre del médico supervisor. (*Ver formulario adjunto.*) Con el consentimiento del padre, la enfermera escolar puede comunicarse con el médico y aconsejar al personal escolar con relación a los posibles efectos de la medicación sobre el comportamiento físico, intelectual, y social, así como las señales y síntomas de los efectos secundarios adversos, omisión o sobredosis.

ROPA PROTECTORA CONTRA EL SOL/USO DE CREMA PROTECTORA (EC §35183.5): Las escuelas deben de permitir el uso de ropa protectora contra el sol y deben permitir a los estudiantes utilizar durante el día escolar crema protectora, sin la receta o nota de un médico.

ASBESTOS (40 CFR 763.84, 40 CFR 763.93): El distrito tiene un plan para eliminar los riesgos de salud creados por la presencia de asbestos en edificios escolares. Puede revisar el plan en la oficina del distrito. Al menos una vez al año, el distrito avisará a los padres de las inspecciones, acciones de respuesta, y actividades post-acciones de respuesta que están planificadas o en progreso.

USO DE PESTICIDAS (EC §§17611.5, 17612 y 48980.3): Se requiere que los distritos escolares informen a los padres del uso de insecticidas en los recintos escolares y que den acceso al plan integrado de manejo de plagas cuando se utilizan ciertos pesticidas. (*Ver el adjunto.*)

PLAN COMPRENSIVO DE SEGURIDAD ESCOLAR (EC §32280 et seq.): Se requiere que cada escuela incluya en su informe anual de responsabilidad escolar (SARC por sus siglas en inglés) información sobre el estado de su plan de seguridad escolar, incluyendo una descripción de los elementos principales. Se requiere que el comité de planificación celebre una reunión pública para permitir que el público tenga la oportunidad de expresar una opinión acerca del plan escolar. El comité planificador deberá notificar a ciertas personas y entidades por escrito.

NOTIFICACION DE CUMPLIMIENTO (EC §32289): Se puede presentar una queja de incumplimiento con los requisitos de planificación de seguridad escolar al Departamento de Educación del Estado bajo el procedimiento uniforme para presentar quejas. (5 CCR 4600 et seq.)

ESCUELAS LIBRES DE TABACO (HS §104420): Está terminantemente prohibido a todas horas el uso de productos de tabaco por estudiantes, personal, padres, o visitantes en edificios propios o alquilados por el distrito, propiedades distritales, y vehículos distritales. Esta prohibición se aplica a todo empleado, estudiante, y visitante en cualquier programa de instrucción, actividad o evento atlético patrocinado por la escuela que se celebre en o fuera de propiedad distrital. Los productos prohibidos incluyen cualquier producto que contenga tabaco o nicotina, incluyendo, pero no limitándose a, tabaco sin humo, *snuff*, masticado, cigarrillos de clavo, y cigarrillos electrónicos capaces de administrar soluciones vaporizadas de nicotina o sin nicotina. Se pueden hacer excepciones para el uso o posesión de productos de nicotina con receta médica. A cualquier empleado o estudiante que viole la política distrital de escuelas libres de tabaco se le pedirá que se abstenga de fumar y éste será sujeto a acción disciplinaria

según sea apropiado.

SERVICIOS ESTUDIANTILES

EDAD MINIMA PARA ADMISION A KINDER

(EC §48000): Un niño/a podrá matricularse en kinder al principio del curso escolar o más tarde durante el mismo curso, si ha cumplido los cinco años en o antes del 1 de Septiembre. Cualquier niño/a que cumpla años entre el 2 de Septiembre del curso escolar aplicable y el 2 de Diciembre será ofrecido un programa de kinder transicional de acuerdo con la ley y la política distrital. Según el caso individual, un niño/a que haya cumplido cinco años después de la fecha de arriba, pero antes del fin del curso aplicable, podrá ser admitido a kinder con la aprobación del padre y sujeto a la aprobación de la mesa directiva conforme a EC §48000.

PROSPECTO DEL CURRICULO ESCOLAR (EC §49091.14): El currículo de cada curso ofrecido por las escuelas del distrito lo acumula cada escuela en un prospecto. El prospecto de cada escuela está disponible en cada escuela con solo solicitarlo. Se pueden pedir copias por una cuota que no exceda el coste actual de hacer la copia.

EDUCACION MULTILINGÜE (EC §310): Si el distrito implementa un programa de adquisición de idiomas según EC §310, se proporcionará junto con este aviso o a la hora de matriculación la información acerca de los tipos de programas de idioma disponibles y una descripción de cada programa.

EDUCACION ESPECIAL (IDEA): Las leyes federales y estatales requieren que se ofrezca una educación pública adecuada y gratuita (FAPE) en el ambiente menos restrictivo a estudiantes discapacitados de 3-21 años. Puede obtener más información acerca de la elegibilidad de estudiantes, derechos de padres y garantías procesales con solicitarlo.

EDUCACION ESPECIAL; SISTEMA CHILD FIND (EC §56301): Cualquier padre que sospeche que un niño/a tiene necesidades excepcionales puede pedir una evaluación para servicios de educación especial a través del director de escuela. La política y procedimientos deberá incluir notificación escrita a todos los padres de sus derechos conforme a EC §56300.

QUEJAS DE EDUCACION ESPECIAL (5 CCR §3080): Los reglamentos estatales requieren que el distrito establezca procedimientos para tratar con las quejas de educación especial. Si usted piensa que el distrito está en violación de las leyes federales o estatales que rigen la identificación o colocación de un estudiante de educación especial o asuntos similares, puede presentar al distrito una queja por escrito. Los reglamentos estatales requieren que el distrito mande su queja al Superintendente de Instrucción Pública del Estado. Puede obtener los procedimientos de su director de escuela.

SECCION 504 / ESTUDIANTES DISCAPACITADOS (Sección 504 del Acto de Rehabilitación de 1973): La ley federal requiere que el distrito notifique anualmente a los estudiantes discapacitados y a sus padres del deber y la política distrital de no discriminación bajo la sección 504 de la Ley de Rehabilitación.

DECLARACION DE NO-DISCRIMINACION (Título VI de la Ley de Derechos Civiles de 1964; Título IX de las Enmiendas a la Educación de los Estados Unidos de 1972; Ley de Americanos con Discapacidades; Sección 504 de la Ley de Rehabilitación Vocacional de 1973; EC §200 et seq.): El distrito no discrimina por motivos de género, identidad de género, expresión de género, sexo, raza, color, religión, origen nacional, identificación de grupo étnico, edad, información genética, discapacidad mental o física, orientación sexual, estatus migratorio o la percepción de una o más de tales características. La política distrital de no-discriminación requiere notificación en el idioma materno si el área de servicio distrital contiene una comunidad de personas de minoridad con conocimiento limitado del inglés. La notificación debe incluir que el distrito tomará medidas para asegurar que la falta de hablar el inglés no será una barrera a la admisión y participación en programas distritales. Esta política se aplica a todos los estudiantes en cuanto a la participación en programas y actividades, con pocas excepciones tales como deportes de contacto. Según la ley federal, cualquier queja que alega incumplimiento de esta política deberá dirigirse al director de escuela. Las apelaciones pueden hacerse al superintendente del distrito. Puede obtener una copia de la política distrital de no-discriminación con solo solicitarlo.

IGUALDAD EDUCATIVA INDEPENDIENTE DE ESTATUS MIGRATORIO, CIUDADANÍA O RELIGIÓN (EC §234.7): Los niños tienen derecho a una educación pública gratuita, independientemente de su estatus migratorio, estatus de ciudadanía o creencias religiosas. Cuando inscriben a un estudiante, las escuelas deben aceptar diversos documentos de los padres del estudiante para demostrar prueba de la edad o residencia del estudiante. No se requiere información alguna sobre estatus de ciudadanía/migratorio ni número de Seguridad Social para matricularse en la escuela. Los padres tienen la opción de proporcionar a la escuela información de contacto en caso de emergencia. Inclusive la información de contactos secundarios, para identificar a un adulto de confianza que pueda cuidar de un estudiante menor de edad en el caso de que los padres sean detenidos o deportados. Los padres tienen la opción de completar una Declaración Jurada de Autorización de Cuidador o una Petición de Nombres de Tutor Temporal de la Persona, que puede permitir a un adulto de confianza tomar decisiones educativas y médicas en nombre de un estudiante menor de edad. Los estudiantes tienen el derecho a informar sobre un crimen de odio o presentar una reclamación ante el distrito escolar si se están viendo discriminados, intimidados o acosados en base a su nacionalidad, etnia o estatus migratorio real o percibido. La página web del Fiscal General de California proporciona recursos online para "conocer sus derechos" para estudiantes inmigrantes y miembros de las familias en <https://oag.ca.gov/immigrant/rights>.

PROGRAMA DE HUELLAS DACTILARES (EC §32390): Los distritos escolares están autorizados para ofrecer programas de huellas dactilares para niños de kínder o recién matriculados en el distrito. Si el distrito ha adoptado tal programa, se le notificará a la hora de la matriculación inicial de los procedimientos, cuota aplicable y su derecho de negar la participación de su hijo.

SITUACIONES DE NIÑOS SIN HOGAR (42 USC §11431-11435):

Cada distrito local nombrará a un enlace para niños sin hogar que será responsable de asegurar la diseminación del aviso público de los derechos educativos de estudiantes en situaciones de carencia de hogar.

EDUCACIÓN SEXUAL / VIH

INSTRUCCION EN EDUCACION INTEGRAL DE SALUD SEXUAL Y PREVENCIÓN DEL VIH (EC §§51938):

El distrito debe notificar a los padres anualmente de la educación que tienen programada para el curso escolar en cuanto a la instrucción en la educación integral sobre la salud sexual y la educación sobre la prevención del VIH e investigaciones/estudios acerca de los comportamientos y riesgos de estudiantes. Los materiales escritos y audiovisuales utilizados en la instrucción están disponibles para inspección. Si los arreglos para la instrucción se hacen después de comenzar el curso escolar, los padres serán notificados no menos de 14 días antes del comienzo de tal instrucción si el distrito opta por proveer la instrucción mediante contratistas externos en clase o durante una asamblea. El aviso debe incluir la fecha de la instrucción, el nombre de la organización o la afiliación de cada presentador y la información que los padres tienen derecho de pedir una copia de la ley relacionada a dicha instrucción. Los padres tienen derecho a disculpar a su hijo de toda o parte de la educación integral de salud sexual y de la prevención del VIH solicitándolo por escrito al distrito. Aquellos estudiantes cuyos padres no hayan presentado una solicitud escrita para disculparles recibirán dicha instrucción. La ley también autoriza al distrito, sin previo consentimiento parental, a utilizar investigaciones anónimas, voluntarias y confidenciales y herramientas de evaluación para medir los comportamientos y riesgos de la salud de estudiantes, incluyendo exámenes, cuestionarios, y encuestas en grados 7 a 12 que contengan preguntas adecuadas a la edad acerca de las actitudes o prácticas de estudiantes respecto al sexo. El distrito deberá avisar a los padres por escrito antes de administrar tales pruebas, cuestionarios, o encuestas y ofrecerles la oportunidad de examinar los materiales. Los padres tienen derecho a disculpar a su hijo de participar solicitándolo por escrito al distrito.

INSTRUCCION DE SALUD/CONFLICTOS CON FORMACION Y CREENCIAS RELIGIOSAS (EC §51240): Cuando un padre lo pida por escrito, se permitirá que un estudiante sea excusado de parte de cualquier instrucción escolar sobre la salud si está en conflicto con la formación y creencias religiosas del padre.

ASISTENCIA ESCOLAR/ ALTERNATIVAS A LA ASISTENCIA

La ley de California (EC §48980(g)) requiere que todas las mesas directivas informen a los padres de cada estudiante al principio de cada año escolar de las varias maneras en que pueden elegir escuelas para sus hijos además de las que

les asigna el distrito escolar. Los estudiantes que asisten a escuelas que no les ha asignado el distrito se conocen como "estudiantes de traslado" a través de este aviso. Existe un proceso para elegir una escuela dentro del distrito en el que vive el padre (traslado intradistrito), y potencialmente tres procesos distintos para elegir escuelas en otros distritos (traslado interdistrital). Los requisitos generales y limitaciones de cada proceso se detallan a consiguiente:

Elección de escuela dentro del distrito en el que viven los padres:

La ley (EC §35160.5(b)) requiere que la mesa directiva de cada distrito establezca una política que permita a los padres elegir las escuelas en donde asistirán sus hijos, sin importar donde viven dentro del distrito. La ley limita la opción de elegir dentro del distrito escolar según lo siguiente:

- Los estudiantes que viven en el área de asistencia de una escuela deben recibir prioridad para asistir a esa escuela por encima de estudiantes que no viven en el área de asistencia de la escuela.
- En casos cuando hay más solicitudes para asistir a una escuela que cupos disponibles, el proceso de selección será "al azar e imparcial," lo cual generalmente significa que los estudiantes serán seleccionados por medio de un proceso de lotería, en vez de según el orden de entrega de la solicitud. El distrito no puede usar el rendimiento académico ni el atletismo de un estudiante como motivo de aceptar o negar un traslado.
- Cada distrito deberá decidir el número de cupos disponibles en cada escuela que pueden ocupar estudiantes de traslado. Cada distrito también tiene la autoridad de mantener un equilibrio racial y étnico adecuado en sus escuelas, lo cual significa que el distrito puede negar la solicitud de traslado si ésta alteraría este equilibrio o si dejaría al distrito fuera de cumplimiento con un programa de desegregación voluntario o mandado por la corte.
- Bajo estas provisiones, no se le requiere al distrito que ofrezca transporte a un estudiante que se traslada a otra escuela en el distrito.
- Si se niega un traslado, el padre no tiene el derecho automático de apelar la decisión. Sin embargo, el distrito puede decidir voluntariamente establecer un proceso para que los padres apelen una decisión.

Elección de escuela fuera del distrito en el que viven los padres:

Los padres tienen tres opciones distintas para elegir una escuela fuera del distrito en donde viven. Las tres opciones son:

1ª Opción: Distrito de opción (EC § 48300 al 48315):

La ley permite, pero no requiere, que cada distrito escolar sea un "distrito de opción" – o sea, un distrito que acepta estudiantes de traslado de fuera del distrito bajo los términos de las secciones citadas del Código de Educación. Si la mesa directiva de un distrito decide hacerse un "distrito de opción" debe determinar el número de estudiantes que aceptará cada año en esta categoría y aceptar a todos los estudiantes que soliciten transferencia hasta que el distrito escolar esté a plena capacidad. El distrito escolar de elección deberá garantizar que los estudiantes admitidos en base a este artículo sean seleccionados mediante un proceso sin sesgos, que prohíba la consideración de factores como rendimiento académico o deportivo, condiciones físicas o competencia en inglés. Si el distrito opta por no hacerse un "distrito de opción," los padres no pueden solicitar un traslado bajo estas provisiones. Otras provisiones de la opción de "distrito de opción" incluyen:

- Tanto el distrito al que se trasladaría un estudiante como el distrito del que trasladaría puede negar un traslado si éste afectaría adversamente el equilibrio racial y étnico del distrito, o un plan de desegregación voluntario o mandado por la corte. Un distrito de opción no puede negar una solicitud de traslado basado en que los gastos de proveer servicios excederían los ingresos, pero sí puede negar una solicitud si ésta requeriría que se creara un programa nuevo. Sin embargo, el distrito de opción no puede negar el traslado de estudiantes con necesidades especiales, incluyendo estudiantes con necesidades excepcionales, y estudiantes aprendices del inglés (*English Learners*) aún si el coste de educar al estudiante excede los ingresos recibidos o si requiere la creación de un programa nuevo. El distrito del que se traslada un estudiante puede también limitar el número total de estudiantes que se trasladan cada año fuera del distrito a un porcentaje determinado del número total de matrículas, dependiendo del tamaño del distrito.
- Las comunicaciones de un distrito de opción con los padres contendrán información precisa y no estarán dirigidas a estudiantes basado en su rendimiento académico, habilidad atlética, u otras características

individuales.

- El distrito de opción debe publicar información de solicitud de transferencia en su página web, incluyendo cualquier formulario aplicable, el calendario de transferencia, y una explicación del proceso de selección.
- Todas las comunicaciones de un distrito de opción sobre oportunidades de transferencia deben estar disponibles en los lenguajes en los que se requiera traducción en el distrito escolar de residencia, en base a EC §48985.
- Ningún estudiante que asiste actualmente a una escuela o reside dentro del área de asistencia de una escuela puede ser obligado a dejar esa escuela para hacer sitio para un estudiante que se traslada bajo estas provisiones.
- La prioridad de entrada debe concederse en base a lo siguiente:
 - Se deberá dar la primera prioridad de transferencia a los hermanos de estudiantes que ya asisten a la escuela en el "distrito de opción".
 - Estudiantes elegibles para comidas gratis o a precio reducido deben tener la segunda prioridad.
 - Los hijos de personal militar deben tener tercera prioridad.
- Los padres pueden pedir ayuda de transporte dentro de los límites fronterizos del "distrito de opción". El distrito está obligado a proveer transporte solo si ya lo está haciendo.
- El distrito escolar en el que reside uno de los padres mientras está de servicio militar activo no negará el traslado de ese estudiante a una escuela en cualquier distrito, si el distrito escolar al que hizo la solicitud el padre del estudiante aprueba la solicitud de traslado.

2ª Opción: Otros traslados interdistritales (EC §46600 et. Seq.): La ley permite que dos o más distritos entren en un acuerdo para el traslado de uno o más estudiantes por un periodo de hasta cinco años. Se pueden hacer nuevos acuerdos para periodos adicionales de hasta cinco años cada uno. El acuerdo debe de especificar los términos y condiciones bajo los cuales se permiten los traslados. El distrito en el que viven los padres no puede negar el traslado de un estudiante cuyo padre/madre está de servicio militar activo cuando el distrito de la propuesta matriculación ha aprobado la solicitud. La ley de traslados interdistritales también comprende lo siguiente:

- Si cualquiera de los distritos niega el traslado, el padre puede apelar la decisión al consejo de educación del condado. Existen tiempos límite determinados por ley para presentar una apelación y para que el consejo de educación del condado tome una decisión.

3ª Opción: Traslados por empleo de los padres en vez de residencia (EC §48204(b)): Cuando al menos uno de los padres de un estudiante está físicamente empleado dentro de los límites fronterizos del distrito escolar que no sea el distrito en el que viven durante al menos 10 horas de la semana escolar, el estudiante puede considerarse residente del distrito escolar en el que trabaja su(s) padre(s). Esta sección del código no requiere que un distrito escolar acepte a un estudiante que solicita un traslado por este motivo, pero el estudiante no puede ser negado el traslado por motivo de raza, etnicidad, sexo, ingreso de los padres, rendimiento académico, ni cualquier otra consideración "arbitraria". Otras provisiones de §48204(b) incluyen:

- Tanto el distrito en el que vive el padre o el distrito en el que trabaja el padre puede prohibir el traslado del estudiante si impacta negativamente un plan de desegregación.
- El distrito en el que vive el padre puede negar un traslado si determina que el coste de educar al estudiante sería más de la cantidad de fondos gubernamentales que recibiría el distrito para educar al estudiante.
- Existen límites determinados (basado en la matriculación total) en el número neto de estudiantes que pueden trasladarse fuera de un distrito bajo esta ley, al no ser que el distrito apruebe un número mayor de traslados.
- No hay proceso de apelación para la negación de un traslado. Sin embargo, el distrito que no admite al estudiante debe de dar por escrito al padre las razones concretas por las que ha negado el traslado.

Ley de Matriculación Abierta (EC §48350 et seq.)

Cuando un estudiante asiste a una escuela del distrito en la Lista de Matriculación Abierta, según lo haya identificado el Superintendente de Instrucción Pública, el estudiante puede solicitar un traslado a otra escuela dentro o fuera del distrito, si la escuela a la que se traslada tiene un índice de rendimiento académico (*Academic Performance Index, API* por sus siglas en

inglés) superior. Los distritos con una escuela en la Lista deben notificar a los padres en esa escuela antes de o en el primer día de escuela de su opción de trasladarse a otra escuela pública. La información acerca del proceso de solicitud y las fechas límites aplicables están disponibles en la oficina distrital.

A consiguiente se da un resumen de las leyes aplicables a la asistencia escolar para cada alternativa. Para más información contacte al distrito.

AVISO DE ESCUELAS ALTERNATIVAS (EC §58501):

La ley estatal autoriza a todos los distritos escolares a ofrecer escuelas alternativas. La sección 58500 del Código de Educación define una escuela alternativa como una escuela o clase en grupo separado dentro de una escuela que opera de manera que:

- (1) Maximiza la oportunidad para que los estudiantes desarrollen valores de autosuficiencia, iniciativa, amabilidad, espontaneidad, ingeniosidad, valor, creatividad, responsabilidad, y alegría.
- (2) Reconoce que se aprende mejor cuando el estudiante aprende porque tiene deseo de aprender.
- (3) Mantiene una situación educativa que maximiza la motivación propia del estudiante y le anima a perseguir sus propios intereses a su propio ritmo. Estos intereses podrían resultar en parte o en total de una presentación por su(s) maestro(s) de las opciones de proyectos educativos.
- (4) Maximiza la oportunidad de maestros, padres y estudiantes de desarrollar de manera cooperativa el proceso de aprendizaje y su contenido. Esta oportunidad será un proceso permanente continuo.
- (5) Maximiza la oportunidad de estudiantes, padres y maestros de reaccionar continuamente al mundo cambiante, incluyendo, pero no limitándose a la comunidad en la que está la escuela.

En el caso que cualquier padre, estudiante, o maestro tenga interés en más información acerca de escuelas alternativas, el Superintendente de Escuelas del Condado, la oficina administrativa de este distrito, y la oficina del director en cada área de asistencia deberán tener copias de la ley disponible para su información. Esta ley autoriza en particular a personas interesadas para pedir que la mesa directiva del distrito establezca programas escolares alternativos.

REDUCCION DE CALIFICACIONES / PERDIDA DE CREDITO ACADEMICO (EC §48980(i)): A ningún estudiante se le reducirá la calificación ni se le restará crédito académico debido a una ausencia justificada conforme a EC §48205 por trabajos/exámenes que se pueden razonablemente proporcionar/completar.

AUSENCIAS POR SERVICIOS MEDICOS CONFIDENCIALES (EC §46010.1): Se avisa a los estudiantes de 7º a 12º grado y a sus padres que la ley permite a las escuelas excusar a estudiantes para el propósito de obtener servicios médicos confidenciales sin el consentimiento de los padres. La política distrital acerca de tales ausencias excusadas está disponible con solicitarlo.

AUSENCIAS POR INSTRUCCION RELIGIOSA (EC §46014): Los distritos pueden excusar a estudiantes con consentimiento de los padres para participar en ejercicios/instrucción religiosa.

NOTIFICACION DE DIAS MINIMOS Y DIAS DE DESARROLLO PROFESIONAL PARA MAESTROS (EC §48980(c)): Se requiere que el distrito notifique anualmente a los padres de la programación de los días mínimos y días en que no hay clase debido a programas de desarrollo profesional para maestros. La notificación debe hacerse al principio del año o lo antes posible, pero no más tarde de un mes antes del día mínimo o desarrollo profesional programado. (*Ver el adjunto.*)

MISCELÁNEOS

PROGRAMAS NO OBLIGATORIOS PARA PARTICIPACION DE PADRES/ESTUDIANTES (EC §49091.18): Las escuelas no pueden obligar a un estudiante ni a su familia a someterse o participar en ninguna prueba, evaluación, análisis, ni seguimiento de la calidad o carácter de la vida familiar del estudiante, evaluaciones o pruebas parentales, programas de consejería no-académica en hogar, capacitación para padres, ni planes prescritos de servicios educativos familiares.

EQUIDAD DE GENERO EN PLANIFICACION DE CARRERAS (EC §221.5(d)): Se notificará a los padres por adelantado de la consejería de carreras y selección de cursos comenzando con la selección de cursos en 7º grado, de modo de promover la equidad de género y permitir que los padres participen en sesiones de consejería y decisiones.

NORMATIVA CONTRA EL ACOSO SEXUAL (EC §231.5; 5 CCR §4917): Se requiere que cada distrito haya adoptado una normativa por escrito contra el acoso sexual, y proporcionará una copia de esta normativa, en lo relativo a los estudiantes, junto con la notificación anual. (*Ver adjunto.*) También se requiere que los distritos expongan estas normativas en un lugar prominente y que la incluyan en la orientación para empleados y estudiantes.

CAMPUS LIBRE DE DROGAS (Educación preventiva contra el uso del alcohol y drogas): La posesión, uso o venta de narcóticos, alcohol, u otras sustancias controladas está prohibida y se imponen estrictamente en todas las actividades escolares. Los registros se mandarán a las autoridades locales, y las violaciones resultarán en sanciones distritales.

DERECHO DE ABSTENERSE DEL USO DAÑINO DE ANIMALES (EC §32255 et seq): Los estudiantes pueden abstenerse de participar en proyectos educativos que incluyen el uso dañino o destructivo de animales.

LEY CADA ESTUDIANTE TRIUNFA (ESSA por sus siglas en inglés) (20 USC §6301 et seq.): Según la ley ESSA, los padres tienen los siguientes derechos:

- **Información acerca de las cualificaciones de maestros, paraprofesionales y asistentes de maestro:** Cuando lo pidan los padres, tienen derecho a información acerca de las cualificaciones profesionales de los maestros, paraprofesionales, y asistentes de maestro de la clase de su hijo. Esto incluye si el maestro satisface los criterios de acreditación y cualificaciones estatales para los grados y las materias que enseña, si el maestro enseña en condición provisional o debido a una situación de emergencia, la especialidad académica del título universitario del maestro y cualquier otro título de nivel postgrado y las materias de esos títulos, y si cualquier paraprofesional o asistente de maestro presta servicios a su hijo, y en el caso que lo hagan, cuáles son sus cualificaciones. El distrito notificará además a los padres si su hijo ha sido asignado a o ha sido enseñado durante 4 semanas o más por un maestro que no tenga la clasificación de "muy capaz".
- **Información acerca de los informes individuales de las evaluaciones estatales:** Cuando lo pidan, los padres tienen derecho a información sobre el nivel de rendimiento de su estudiante en cada prueba académica estatal que se le administró.
- **Estudiantes con dominio limitado del inglés:** La ley requiere aviso previo a los padres de estudiantes que están aprendiendo el inglés en cuanto a los programas para dominio limitado del inglés, incluyendo las razones por la identificación del estudiante como aprendiz del inglés, la necesidad de colocación en un programa educativo de lenguaje, el nivel de dominio del inglés del estudiante, cómo se evaluó dicho nivel, el estado del rendimiento académico del estudiante, los métodos de instrucción utilizados en los programas disponibles, cómo satisface el programa recomendado las necesidades del estudiante, el desempeño del programa, las opciones de los padres para sacar al estudiante de un programa y/o de rehusar la inscripción inicial, y el ritmo anticipado de transición a clases no diseñadas para estudiantes que están aprendiendo el inglés.
- **Escuelas en mejoramiento de programa:** Los padres deberán ser notificados cuando la escuela de su hijo es identificada como escuela en "mejoramiento de programa" y de las oportunidades de elección de escuela.

La información dada arriba está disponible con solicitarla de la escuela de su hijo o de la oficina distrital. Los avisos adicionales que podrían requerirse bajo la ley ESSA se enviarán por separado.

PROCEDIMIENTO UNIFORME DE QUEJAS (5 CCR §4622): Se requiere que el distrito notifique anualmente a los padres, estudiantes, empleados, comités asesores escolares y otras partes interesadas por escrito de su Procedimiento Uniforme de Quejas. (*Ver el adjunto.*)

AUTOBUSES ESCOLARES /SEGURIDAD DEL PASAJERO (EC §39831.5): Los distritos están obligados a proporcionar reglas de seguridad a todos los estudiantes nuevos y los que han sido transportado anteriormente por autobús.

NOTIFICACION DE LA LEY MEGAN (CODIGO PENAL §290.4):

Los padres y miembros del público tienen el derecho de revisar la información acerca de los delincuentes sexuales registrados disponible en la oficina principal de las autoridades policiales locales de este distrito escolar.

AUSENCIAS JUSTIFICADAS (EC §48205)

(a) No obstante la sección 48200, un estudiante puede ser disculpado de la escuela cuando la ausencia sea:

- (1) A causa de enfermedad del estudiante.
- (2) A causa de cuarentena bajo la dirección de un oficial de salud del condado o ciudad.
- (3) Para recibir servicios médicos, dentales, optométricos, o quiroprácticos.
- (4) Para asistir a servicios funerarios de un miembro de familia inmediata del estudiante, siempre y cuando la ausencia no dure más de un día si el servicio es en California y no más de tres días si se hace fuera de California.
- (5) Para servir como miembro de un jurado en la forma establecida por ley.
- (6) Por motivo de una enfermedad o cita médica durante el horario escolar de un niño de quien el estudiante es el padre con custodia.
- (7) Por razones personales justificables, incluyendo pero no limitándose a comparecencia ante un tribunal, asistencia a un funeral, cumplimiento de un día festivo o ceremonia religiosa, asistencia a retiros religiosos que no deberán exceder cuatro (4) horas por semestre, o asistencia a una conferencia sobre empleo, cuando el padre haya solicitado por escrito la ausencia del alumno y haya sido aprobada por el director o su representante asignado en conformidad con las normas establecidas por la mesa directiva.
- (8) Para el propósito de servir como miembro del consejo electoral para una elección conforme a la sección 12302 del Código Electoral.
- (9) Para los propósitos de pasar tiempo con un miembro de la familia inmediata del estudiante, que sea un miembro activo de los servicios uniformados, según se define en la sección 49701, y que haya sido llamado para servicio, esté en permiso de ausencia de, o haya regresado inmediatamente de, despliegue a una zona de combate o puesto de apoyo de combate. Las ausencias otorgadas conforme a este párrafo se otorgarán durante un periodo de tiempo a ser determinado a la discreción del superintendente del distrito escolar.
- (10) Para el propósito de asistir a la ceremonia de naturalización del estudiante para hacerse ciudadano de los Estados Unidos.

(b) Un estudiante con ausencias justificadas podrá terminar todos los exámenes y tareas no realizadas durante su ausencia, y que puedan proporcionarse de manera razonable, y una vez terminadas durante un periodo de tiempo razonable recibirá el crédito completo por las mismas. El maestro de la clase de la cual el estudiante ha faltado determinará los exámenes y tareas que serán razonablemente equivalentes, pero no necesariamente idénticas a los exámenes y tareas que el alumno no presentó durante su ausencia.

(c) Para propósitos de esta sección, la asistencia a retiros religiosos no excederá cuatro horas por semestre.

(d) Las ausencias bajo esta sección se considerarán ausencias en la computación del promedio de asistencia diaria y no generarán pagos distribuidos por el estado.

(e) "familia inmediata," según se usa en esta sección, tiene el mismo significado que en la sección 45194, excepto que las referencias en esta sección a "empleado" se determinarán como referencias a "estudiante."

INVIRTIENDO PARA LA EDUCACION FUTURA (EC §48980(d)):

Se aconseja a los padres acerca de la importancia de invertir en una educación superior para sus hijos y de considerar las opciones de inversión apropiadas, incluyendo, pero no limitándose a, los bonos de ahorro de los Estados Unidos.

QUEJAS DE DEFICIENCIAS RELACIONADAS A MATERIALES DE INSTRUCCION, ETC. (EC §35186): El Procedimiento Uniforme de Quejas está para ayudar a identificar y resolver deficiencias relacionadas a los materiales de instrucción, condiciones de emergencia o urgentes de instalaciones que puedan representar un peligro para la salud y seguridad de estudiantes o personal, y vacaciones o asignaciones inadecuadas de maestros. El aviso del proceso de presentar una queja y el lugar en donde se puede obtener el formulario deberán estar puestos en todas las aulas.

ACREDITACION DE ESCUELAS (EC §35178.4): Se requiere que los distritos están obligados a notificar a cada padre de los estudiantes en una escuela que

haya perdido su estado de acreditación y de las posibles consecuencias de perderla. La notificación se hará por escrito o publicando la información en el sitio Web del distrito o de la escuela, o cualquier combinación de estos métodos.

estudiantes, padres y empleados.

CUOTAS ESTUDIANTILES (EC §49010 et seq.): Se requiere que el distrito establezca políticas acerca de la provisión de una educación gratis para estudiantes. También se requiere que establezca políticas para presentar una queja de incumplimiento bajo esta sección por medio del Procedimiento Uniforme de Quejas. El aviso de las políticas de cuotas/tarifas distritales y del proceso para presentar quejas se proporcionará anualmente a los estudiantes, padres y empleados.

PLAN DE CONTROL LOCAL Y RENDIMIENTO DE CUENTAS (EC §§52060-52077): El distrito está obligado a adoptar un plan trianual de Control Local y Rendimiento de Cuentas (LCAP, por sus siglas en inglés) y de actualizarlo en o antes del 1 de julio de cada año subsiguiente. Se requiere que el LCAP describa los objetivos anuales y las acciones concretas para implementar esos objetivos y debe medir el progreso de los subgrupos de estudiantes en ocho áreas prioritarias establecidas por el estado. Las prioridades deben estar alineadas con el plan de gastos del distrito. El LCAP deberá ser aprobado antes de poderse adoptar el presupuesto anual del distrito. Una vez adoptados a nivel local el presupuesto y el LCAP, el plan será revisado por el superintendente del condado para asegurar que los gastos proyectados están alineados con las metas y servicios. Las prioridades estatales son las siguientes:

1. Dar acceso a todo estudiante a maestros con credenciales completos, materiales de instrucción alineados con los criterios estatales, e instalaciones seguras;
2. Implementación de y acceso de estudiantes al contenido académico y criterios de rendimiento del estado;
3. Participación de los padres;
4. Mejorar el rendimiento estudiantil y los resultados en múltiples medidas;
5. Apoyar la participación y compromiso de estudiantes;
6. Destacar el clima y la conectividad escolar;
7. Asegurar que todo estudiante tenga acceso a un amplio curso de estudio;
8. Medir otros resultados estudiantiles relacionados a las áreas de estudio requeridas;
9. Coordinar la instrucción de estudiantes expulsados; y
10. Coordinar servicios para estudiantes en hogar temporal.

Se requiere que la mesa directiva establezca un comité asesor de padres (*parent advisory committee*, o PAC por sus siglas en inglés) y un comité asesor de padres de estudiantes aprendices del inglés (ELPAC por sus siglas en inglés) para dar consejo a la mesa directiva y al superintendente en cuanto al LCAP. (Los ELPACs se requieren si la matriculación del distrito escolar incluye al menos 15% de estudiantes aprendices del inglés y el distrito matricula a 50 estudiantes como mínimo que son aprendices del inglés. Los distritos no están obligados a establecer un ELPAC nuevo si ya se ha establecido un comité de padres de aprendices del inglés). Los PACs incluirán a padres de estudiantes de bajos recursos, estudiantes aprendices del inglés, y estudiantes en hogares temporales (*foster* en inglés).

Cada distrito deberá consultar con sus maestros, directores, administradores, y otro personal escolar, grupos de empleados con derechos de negociar, padres, y estudiantes al desarrollar su LCAP. Como parte de este proceso de consulta, los distritos deben presentar sus planes propuestos al PAC y al ELPAC. Los comités asesores podrán revisar y comentar sobre el plan propuesto. Los distritos deben responder por escrito a los comentarios del PAC y el ELPAC. También se requiere que los distritos notifiquen a los miembros del público que pueden presentar comentarios escritos en cuanto a las acciones y gastos específicos propuestos en el LCAP.

Los distritos deberán celebrar al menos dos audiencias públicas para hablar de y adoptar (o actualizar) sus LCAPs. El distrito deberá primero hacer al menos una audiencia para pedir recomendaciones y comentarios del público acerca de los gastos propuestos en el plan, y luego adoptar (o actualizar oficialmente) el LCAP en una audiencia subsiguiente.

Se requiere que los distritos publiquen en el sitio Web distrital el LCAP aprobado por la mesa directiva, así como cualquier actualización o revisión, y que establezcan políticas para presentar una demanda de incumplimiento bajo §52075 por medio del Procedimiento Uniforme de Quejas. La información acerca de los requisitos de un Plan de Control Local y Rendimiento de Cuentas y el proceso para presentar demandas se proporcionarán anualmente a los

CONFIRMACION DE RECIBO DEL AVISO ANUAL DE DERECHOS DE PADRES/TUTORES

Corte, firme, y devuelva esta página a la escuela de su hijo indicando que le han notificado de las actividades específicas y si tiene un hijo en régimen continuo de medicación.

Esta notificación anual también está disponible en formato electrónico y se le puede proporcionar con solicitarlo. Si la notificación se hace de forma electrónica, el padre o tutor debe entregar a la escuela esta confirmación de haber recibido la notificación.

Nombre del Estudiante: _____

Escuela: _____ Grado: _____

Por la presente, confirmo que he recibido la información acerca de mis derechos, responsabilidades, y protecciones.

Firma del Padre/Tutor: _____ Fecha: _____

POR FAVOR COMPLETE LO SIGUIENTE SI FUESE APLICABLE

1. El estudiante está en un régimen continuo de medicación según lo ha prescrito un médico:

(Por favor marque uno) SI _____ NO _____

Si contestó SI: Doy permiso para contactar al médico del estudiante:

Nombre del médico: _____ Teléfono: _____

Medicación: _____ Dosis: _____

Medicación: _____ Dosis: _____

2. Si no desea que se divulgue información de directorio, por favor firme donde está indicado abajo y entregue este formulario a la escuela **dentro de los próximos 30 días**. Tome nota que esto prohibirá que el distrito dé el nombre y otra información del estudiante a medios publicitarios, escuelas interesadas, asociaciones de padres/maestros, empleadores interesados, y entidades similares.

NO divulgar información de directorio de _____
(Nombre del estudiante) (Fecha de nacimiento)

Escuela: _____ Grado: _____

Marque aquí si se debe de hacer la excepción de incluir información y fotos del estudiante en el anuario escolar (*yearbook*).

Firma del Padre/Tutor: _____ Fecha: _____

3. Al firmar abajo, otorga usted **permiso al distrito para poner fotografías de su estudiante en el anuario escolar** y otras publicaciones relacionadas con la escuela.

Nombre del Estudiante: _____

Escuela: _____ Grado: _____

Firma del Padre/Tutor: _____ Fecha: _____