

**Los Gatos-Saratoga Union High
School District**

**ANNUAL NOTICE TO PARENTS and GUARDIANS
2023-2024**

Dear Parent or Guardian:

As required by law, I wish to notify you as the parent and/or guardian of student(s) enrolled in our schools of your rights and responsibilities. I ask, therefore, that you please take a moment of your time to carefully review the attached materials. After your review, please sign and return the attached acknowledgment indicating that you have received and reviewed these materials. All references are to the California Education Code [E.C.] unless otherwise noted. This mailing also contains information required under federal law.

If you have any questions regarding this information, please feel free to contact our school offices.

Sincerely,

Bill W. Sanderson
Superintendent

SCHOOL RULES

1. You have a right to review the school rules regarding student discipline. Those rules are explained in the Student Handbook which is reviewed and mailed home annually. If you wish an additional copy, please contact the School Office.

ATTENDANCE

1. **General Absences** - see attached Education Code Section [48205](#)*. No student may have his or her grade reduced or lose academic credit for any absence excused pursuant to Education Code section 48205 if missed assignments and tests that can be provided are satisfactorily completed within a reasonable period of time. [E.C. section 48980(j)]
2. **Absence for Religious Purposes** - With your written permission, your child may be excused to attend religious services away from school. However, your child will be required to complete a certain number of minutes for that day. Such absences are limited to four days per month. [E.C. section 46014]
3. **Absence for Justifiable Personal Reasons** - Upon your written request and approval by the school principal, your child may be excused from school for justifiable personal reasons such as an appearance in court, observation of a religious holiday or ceremony, attendance at religious retreats (not to exceed 4 hours per semester), an employment conference [E.C. section 48205] or a naturalization ceremony [E.C. 48205]
4. **Inter District Attendance Options** - It is the intent of the Legislature that the governing board of each school district annually review the enrollment options available to the pupils within their districts and that the school districts strive to make available enrollment options that meet the diverse needs, potential, and interest of California's pupils. Please contact our District Office for more information regarding all current attendance options.
5. **Victims of Bullying Transfer Rights** - School districts must approve the request of a bullying victim, as defined, to transfer to another school within the district. If the requested school is at capacity, the school district must accept a request for an alternate site. If the school district of residence has only one school available, the school district of residence must honor the student's interdistrict transfer request if the school district of proposed enrollment approves the transfer. [E.C. section 46600]
6. **Attendance in School District in Which Parent/Guardian is Employed** - Now applicable through the 12th grade, your child may have the option of attending school in the district where you or your spouse is employed for at least 10 hours per school week. If interested, call the District Office for information. [E.C. sections 48204(b) and 48980(e)]
7. **Enrollment Based on Parent and Student Living at Parent's Place of Employment for a Minimum of 3 Days During the School Week**. Parents may apply for enrollment of their child in a school district in which the parent is employed, and where the parent and child live at the parent's place of employment for a minimum of 3 days during the school week. [E.C. 48204(a)(7)]
8. **Attendance Where Caregiver Resides** - If your child lives in the home of a care giving adult, as defined by law, your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the care giving adult is required to determine that your child lives in the caregiver's home. [E.C. sections 48204(d) and 48980(h)]
9. **Children of Military Service Members / Residency** - A student complies with a school district's residency requirements for school attendance if the student's parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. School districts

must accept applications by electronic means for enrollment, including enrollment in a specific school or program within the district, and course registration. The parent must provide proof of residency in the school district within 10 days after the published arrival date provided on official documentation. [E.C. section 48204.3]

- 10. Children of Military Service Members / Residency Retention and Matriculation** - A student living in the household of an active duty military service member must be allowed to continue attending the student's school of origin for the remainder of the school year if the family moves.

A student from an active duty military family who is transitioning between school grade levels must be allowed to continue in the school district of origin and in the same attendance area of school of origin. If the student is transitioning to middle school or high school, and the school designated for matriculation is in another school district, the local educational agency must allow the student to continue to the school designated for matriculation in that school district. The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended, or if the student is unable to produce clothing or records normally required for enrollment.

If the parent/guardian's military service ends during the school year, then the student is allowed to stay in his/her school of origin for the remainder of the school year if s/he is in grades 1-8, or through graduation if the student is in high school. [E.C. section 48204.6]

- 11. Residency Retention for Migratory Children** - Currently migratory children, who are enrolled in a school district due to a parent's or immediate family member's temporary or seasonal employment in an agricultural or fishing activity, as defined by Education Code section 54441, must be allowed to continue in their schools of origin, regardless of any change of residence during that school year, for the duration of their status as migratory children. When a student's status as a migratory child changes during the school year, the school district must: (1) allow K-8th graders to continue in their schools of origin for the remainder of that school year; and (2) allow 9-12th graders to continue in their schools of origin through graduation.

Migratory children and their parents/guardians must be informed of the impact that remaining in their schools of origin will have on their eligibility to receive migrant education services.

- 12. Residency Retention for Students Whose Parents are Detained or Deported** - Students retain residency in a school district, regardless of the students' current residency, when both of the following requirements are met: a) the student's parent or guardian has departed California against his or her will, and the student can provide official documentation evidencing the departure; and b) the student moved outside of California as a result of his or her parent or guardian leaving the state against his or her will, and the student lived in California immediately before moving outside the state. The student must provide evidence of enrollment in a California public school immediately before moving outside the state.

Deported parents may designate another adult to attend school meetings and to serve as an emergency contact. No charges or fees of any kind may be required for admission or attendance in these circumstances.

This law applies to parents who are: (1) in the custody of a government agency and are transferred to another state; (2) subject to a lawful removal order and who were removed or were permitted to leave California voluntarily before being removed; and (3) subject to any additional circumstances consistent with these purposes, as determined by the school district. [E.C. section 48204.4]

- 13. Temporary Disability / Individualized Instruction** - If your child has a temporary disability which prevents him/her from attending regular classes, s/he may receive individualized instruction either: (1) at home provided by the school district in which the student resides; or (2) in a hospital or other residential health facility, excluding state hospitals, provided by the school district in which the hospital or residential health

facility is located.

“Temporary disability” means a physical, mental or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program to which the student can reasonably be expected to return. “Temporary disability” does not include a disability that would qualify a student as a “student with exceptional needs” under Education Code section 56026.

A student with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. Once the parent has notified the district in which the hospital is located of the student's presence in the qualifying hospital, the district has five working days to notify the parent if individualized instruction shall be made available. If the determination is positive, individualized instruction shall commence within five working days.

Individual instruction in a student's home must commence no later than five working days after a school district determines that the student shall receive this instruction.

When a student receiving individual instruction is well enough to return to school, s/he must be allowed to return to the school that s/he attended immediately before receiving individual instruction, if the student returns during the school year in which the individual instruction was initiated.

Students enrolled in individual instruction in a hospital or other residential health facility for a partial week, are entitled to attend school in student(s) school district of residence, or to receive individual instruction provided by the school district of residence in the student's home, on days in which he or she is not receiving individual instruction in a hospital or other residential health facility, if s/he is well enough to do so.

Absences from the student's regular school program due to the student's temporary disability are excused until the student is able to return to the regular school program. [E.C. sections 48206.3, 48207, 48207.3, 48207.5, 48208, 48240 (c) and 48980(b).]

14. High School Students Leaving School at Lunch Time - The governing board of this school district, pursuant to Education Code section 44808.5, has decided to allow 11th and 12th graders at Saratoga High School and all pupils enrolled at Los Gatos High School to leave school grounds during the lunch period. Neither the school district nor any officer or employee 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.
15. **Minimum Days or Pupil Free Staff Development Days:** Release Days: **October 10, 2023 and March 11, 2024.** Check school calendars for additional calendar information.

DISCIPLINE

1. **Student Discipline Rules** - The district maintains a student discipline code with policies and procedures. Copies are available at the District Office.
2. **Release of Student to Peace Officer** - If a school official releases your child from school to a peace officer for the purpose of removing him/her from the school premises, the school official shall take immediate steps to notify you or a responsible adult (identified on your child's registration card), except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [E.C. section 48906]
3. **Parent Responsibility** - Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children which result in death or injury to other students, school

personnel, or school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$23,900 for damages and another maximum of the same amount of a reward, if any. We expect these amounts to be indexed and rise annually [E.C. section 48904]. The school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. [E.C. section 48904, Civil Code section 1714.1]. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. [E.C. section 48900.1]

4. **Student Search** - The school principal or designee may search the person of a student (including backpack, purse, bag, etc.) or the student's locker if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, alcohol, stolen property, or contraband. [U.S. Supreme Court Case: *New Jersey v. T.L.O.* (1985) 469 U.S. 325]. Evidence gathered from video surveillance systems in posted areas is specifically admissible in discipline hearings, as no one has a reasonable expectation of privacy in those circumstances.
5. **Dress Code** - Guidelines are found in District [Regulation 5132: Dress and Grooming](#) and additional copies are available at your request.

STUDENT SERVICES

1. **Services to Disabled Pupils** - If you have reason to believe that your child (ages 0 through 21 years) has a disability which requires special services or accommodations, bring this to the attention of the school office. Your child will be evaluated to determine whether student(s) is eligible for special instruction or services. [E.C. sections 56020- et seq.]
2. **Student Sexual Harassment** - Students in grades 4 through 12 may be suspended or expelled for sexual harassment. A copy of the district's policy on student sexual harassment* is enclosed for your review.
3. **Student Lunch Program** - Your child may be eligible to participate in the free/reduced lunch program. Information regarding your child's eligibility for this program is available at the District Office. For more information, please contact the school office. [E.C. sections 49510-49520]

HEALTH SERVICES

1. **Immunizations** - Students seeking to enroll in the District for the first time must provide proof of immunization or a valid exemption, as set forth below.

Students Initially Admitted at Ages 7-17 Years Need These Immunizations:

- [Diphtheria](#), [Tetanus](#), and [Pertussis](#) (DTaP, DTP, DT, Tdap, or Td)—4 doses (3 doses OK if last dose was given on or after 2nd birthday)
- [Polio](#) (OPV or IPV)—4 doses (3 doses OK if one was given on or after 2nd birthday)
- [Measles](#), [Mumps](#), and [Rubella](#) (MMR)—1 dose (2 doses required at [7th grade](#))
- [Varicella](#) (chickenpox) (Admission at ages 7-12 years need 1 dose; ages 13-17 years need 2 doses)

- [Tetanus, Diphtheria, and Pertussis](#) (Tdap) —1 dose at [7th grade](#) or out-of-state transfer admission at 8th–12th grades (1 dose on or after the 7th birthday)

The law allows parents to seek an exemption of their children from meeting immunization requirements based on medical reasons. In order to do so, parents must submit a letter from a licensed physician, stating: (1) that in the opinion of the licensed physician, that the physical condition of the child is such that immunization is not considered safe, indicating the specific nature and probable duration of the medical condition or circumstances, including, but not limited to, family medical history, for which the physician does not recommend immunization; or (2) the medical circumstances relating to the child are such that immunization(s) is/are not considered safe, indicating the specific nature and probable duration of the medical condition or circumstances, including, but not limited to, family medical history, for which the physician does not recommend immunization. The note must indicate what immunization(s) the student should be exempt from. The law does not allow parents/guardians to elect an exemption simply because of inconvenience (a record is lost or incomplete and it is too much trouble to go to a physician or clinic to correct the problem). Students who had a medical exemption issued before December 31, 2020 will be allowed continued enrollment until they enroll in the next grade span. Grade spans are defined as: (1) birth through preschool, (2) Kindergarten through 6th grade, and (3) 7th through 12th grade. As of January 1, 2021, the District will only accept medical exemptions that are submitted on the California Department of Public Health's standardized, statewide medical exemption certification form. Additionally, January 1, 2016 was the deadline for parents to exempt their children from required immunizations based on their religious or personal beliefs. Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016, are exempt from the immunization requirement until they complete the grade span they were in as of January 1, 2016. Schools should maintain an up-to-date list of pupils with exemptions, so they can be excluded quickly if an outbreak occurs. If an outbreak of a communicable disease occurs at a school, the non-immunized student will be excluded for student(s) own safety until such time as directed by health officials or district administration. [E.C. sections 48216, 48853.5(d)(7)(B), 48980(a), and 49403. Health and Safety Code sections 120325, 120335, 120341, 120365, 120370(a)(2), and 120372(a).]

- 2. Assistance with Medication** - If your child must take medication during the school day which includes over-the-counter remedies, nutritional supplements, herbal remedies, and medication prescribed by a physician, surgeon or physician's assistant, designated school personnel may assist your child. In order for staff to administer medication to the student at school, the parent/guardian must submit a written statement with the following information:
1. Identity of the student
 2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
 3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration
 4. Contain an acknowledgment that the parent/guardian understands student(s) responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
 5. Contain an acknowledgment that the parent/guardian understands that student(s) may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that their student(s) be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code [49423](#), [49423.1](#))

1. Consent to the self-administration

2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the District to administer medication to their student(s) , the parent/guardian's written statement shall clearly identify the individual and shall state:

- a. The individual's willingness to accept the designation
- b. That the individual is permitted to be on the school site
- c. Any limitations on the individual's authority

To administer medication to the student at school, the parent/guardian must also submit a written letter from the physician, or complete the District's form, indicating the following information:

1. Clear identification of the student (Education Code [49423](#), [49423.1](#); 5 CCR [602](#))
2. The name of the medication (Education Code [49423](#), [49423.1](#); 5 CCR [602](#))
3. The method, amount, and time schedules by which the medication is to be taken (Education Code [49423](#), [49423.1](#); 5 CCR [602](#))
4. If a parent/guardian has requested that their student(s) be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code [49414.5](#), [49423](#), [49423.1](#); 5 CCR [602](#))
5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code [49423](#), [49423.1](#); 5 CCR [602](#)))

[Note: Items #6-8 below may be revised to reflect District practice.]

6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
7. Possible side effects of the medication
8. Name, address, telephone number, and signature of the student's authorized health care provider

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

Parents must provide a seizure action plan pursuant to Ed. Code section 49468.3 before an emergency anti-seizure medication or therapy treatment may be administered.

Students may carry and use **sunscreen** without a doctor's note or prescription, and may also wear sun-protective clothing (E.C. section 49480).

3. **Physical Examinations** - If you want your child to be exempt from physical examinations at school, file a written statement with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, student(s) may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist. [E.C. section 49451]

4. **Medical and Hospital Services** - The school district does not provide insurance on individual students. However, you may purchase accident insurance through the district for medical and hospital services covering your child. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of your student(s) attendance during a regular school day of the district; or while being transported by the district to and from school or other places of instruction; or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. Applications are available at the District Office. [E.C. section 49472]
5. **Sight and Hearing Test** - The school district is required to provide for the testing of the sight and hearing of each student enrolled in the schools unless you submit a written denial of consent. [E.C. section 49452]
6. **Information for Use in Emergencies** - For the protection of your child's health and welfare, we ask that you continually update Emergency Information Cards that are on file and available in the District Office. [E.C. section 49408]
7. **Confidential Medical Services Without Parental Consent** - According to the Education Code, school authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parents or guardian. For more information, please contact the District Office. [E.C. section 46010.1]
8. **Immunizations and Control of Communicable Disease** -This district cooperates with the local health office in the control and prevention of communicable disease in school-age children. If you consent in writing, the district may permit any person licensed as a physician and surgeon, or if under the direction of a supervising physician or surgeon, may also permit a physician's assistant, nurse practitioner, registered nurse, licensed vocational nurse, or nursing student who is acting under the supervision of a registered nurse, in accordance with applicable provisions of law, to administer an immunizing agent to your child. You will be advised in writing before any immunization program is instituted. [E.C. section 49403]

SEX EDUCATION

1. **Instruction in Comprehensive Sexual Health Education/HIV/AIDS Prevention** [E.C. sections 51930-51939] - Districts shall annually notify parents about instruction in comprehensive sexual health education and HIV/AIDS 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. You will be notified prior to the commencement of any such instruction as to whether the instruction will be taught by district personnel or by outside consultants in class or during an assembly. A copy of the law pertaining to such instruction is available upon request from the district. You may request in writing that your child not receive comprehensive sexual health education and/or HIV/AIDS prevention education.
2. **Student Surveys, Tests and Questionnaires Regarding Sexual Attitudes and Practices**
The law also authorizes the district to use anonymous, voluntary and confidential research and evaluation tools to measure 7th- 12th grade students' health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions about the student's attitudes concerning or practices relating to sex. The district must notify you in writing before any such test, questionnaire, or survey is administered and provide you with an opportunity to review the test and request in writing that your child not participate. If a school receives a written request from the parent or guardian excusing a student from this activity, the student may not be subject to disciplinary action, academic penalty or other sanction and an alternative educational activity must be made available to the student. [E.C. sections 51938(c) and 51939.]

EXEMPTIONS AND PARENTAL RIGHTS

1. **Parental Rights: Education Empowerment Act of 1998** - The Education Empowerment Act of 1998 establishes various rights for parents, in addition to other rights identified in this Annual Notice. Your rights, as a parent or guardian, include the following:

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

Observation of School Activities: You have the right to observe instruction and other school activities that involve your child in accordance with procedures determined by the governing board of the school district to ensure the safety of pupils and school personnel and to prevent undue interference with instruction or harassment of school personnel. Reasonable accommodation of parents and guardians shall be considered by the governing board of this school district. Upon written request by you, school officials shall arrange for your observation of the requested class or classes or activities in a reasonable time frame and in accordance with procedures determined by the governing board of this school district.

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

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

Health Component of Any Program or Class: Parents may exempt students from the health component of any course or class if that instruction conflicts with a parent or guardian's religious training or beliefs.

2. **Other Parental Rights**

The rights of parents and guardians of district pupils include the rights identified below. These rights include your right:

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

the school, in accordance with governing membership.

- n. To question, and receive an answer regarding, items in your child's record that appear inaccurate, misleading, or that invade privacy.
- o. To request information regarding the professional qualifications of your child's teacher or any paraprofessional serving your child.
- p. To be notified, at least once, in advance of career counseling and course selection (commencing with grade 7) so that you may participate in the counseling sessions and decisions.

3. Dissection of Animals - If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, then the teacher may work with him/her to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection. [E.C. section 32255]

4. Excused from Instruction Due to Religious Belief - Whenever any part of the instruction in health or family life education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction upon your written request. [E.C. section 51240]

5. Tests on Personal Beliefs - Unless you give written permission, your child will not be given any test, questionnaire, survey, or examination containing any questions about your child's, or their parents' or guardians' personal beliefs or practices in sex, family life, morality, religion, political affiliations or beliefs, illegal, anti-social, self-incriminating, or demeaning behavior, mental or psychological problems, legally recognized privileged relationships (such as lawyer, physician, or minister), critical appraisals of individuals with whom you have close family relationships, or income (except as required by law to determine eligibility for participation in a program). Parents may inspect all instructional materials used in connection with any survey, analysis or evaluation. [20 U.S.C. 1232h and E.C. sections 51513, 60614]

6. Educational Rights of High Mobility High School Students When Changing Schools After Their Second Year of High School - High school "high mobility" students, which include students in foster care, homeless, recent immigrants, migrant students, former juvenile court school pupils, and students from military families, have the following rights when transferring to a new school after their second year of high school:

- Have the option to be **exempted from all coursework and other requirements that are more than statewide course requirements** for graduation, unless the local educational agency (LEA) makes a finding that the student is reasonably able to complete the LEA's graduation requirements in time to graduate by the end of the fourth year of high school;
- Have the option of attending a **fifth year** of high school in order to complete statewide graduation course requirements;
- To **consult** with school staff and the student's educational rights holder regarding other options available to the student, such as:
 - (1) a fifth year of high school;
 - (2) transfer opportunities available through California Community Colleges; and
 - (3) possible credit recovery.

The consultation must also include a discussion of how remaining for a fifth year of high school or accepting an exemption from the local graduation coursework requirements may potentially impact the student's vocational plans or ability to gain admission to college, and also take into consideration the student's academic record and any other information relevant to making an informed decision. (E.C. §

51225.1, subd. (b)(1), (2), and (3) and subd. (f)(1)-(3).)

- **Foster youth and homeless students** have the right to a consultation with school staff and their educational rights holder regarding the student's option to remain in the student's **school of origin**; (E.C. § 51225.1, subd. (b)(5).)
- Have their official **transcript**, reflecting the correct, full and partial credits earned, sent to their new school within two business days; (E.C. § 49069.5, subd. (d) and (e).)
- Have their new school **accept and issue the credits** forwarded by the transferring school, to prevent the student from unnecessarily retaking a course (E.C. § 51225.2, subd. (b); and
- The official transcripts for transferring **foster youth** must include a determination of the days of enrollment or seat time, or both if applicable, to ensure that transferring foster youth get full credit for coursework completed at their prior school. (E.C. § 49069.5, subd. (e).)
- If exempted from local graduation requirements, and upon completing statewide coursework requirements before the end of the fourth year of high school, the LEA may not require or request that the student graduate before the end of the student's fourth year of high school. (E.C. § 51225.1, subd. (e).)

SCHOOL RECORDS AND ACHIEVEMENTS

- 1. Pupil Records** - You have a right to inspect and review your child's school records; to challenge their contents; to have an administrator assist you in interpreting the records; request amendment to ensure that they are accurate, and not misleading, or otherwise in violation of your child's privacy rights; to have a district-level hearing to appeal the decision not to change records; and to file a complaint with the state and/or United States Department of Education if the district fails to comply with state and federal law with regard to your child's records. Except for certain exceptions, pupil records are confidential and will not be disclosed without your consent. Please be aware, however, that when your child enrolls or intends to enroll in another district, we will send his or her records, including suspension and/or expulsion disciplinary records, to that district. Your child's records may be shared with school officials and employees, and other persons connected with the school who have a legitimate educational interest and who may need them to perform his or her tasks. For example, pupil records may be used to identify and verify eligibility for certain services under the federal No Child Left Behind Act. A school official is a person employed by the District as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement unit personnel), a person serving on the governing board, a person or company with whom the District has contracted to perform a special task (such as attorney, auditor, consultant or therapist), or a parent or student serving on an official committee (such as disciplinary or grievance committee), or assisting another school official in performing his or her tasks. For further information or assistance contact the Superintendent's Office or the Student Privacy Policy Office, U. S. Department of Education, 400 Maryland Avenue, SW, Washington DC 20202. [E.C. sections 49063 and 49070; Family Educational Rights and Privacy Act (FERPA) 34 CFR Part 99]
- 2. Regulations Regarding Pupil Achievement** - If a student is in danger of failing a course, written notification will be sent to parents or a personal/telephone conference with the parent is required. [E.C. section 49067]
- 3. Exemption from California Assessment of Student Performance and Progress (CAASPP)** - Each year, parents and guardians will be notified regarding their student's participation in the CAASPP assessment system. Parents and guardians wanting to excuse their children from any or all parts of the CAASPP must submit a written request. Such written requests must be submitted to the school on an annual basis. If you have any questions, please contact your appropriate site Principal. [E.C. sections 60615, 60604, 60640 and 5 CCR 852]

4. **School Accountability Report Card** - The School Accountability Report Card is available on request and is accessible at the following internet site: <https://www.lgsuhd.org/academics/accountability/school-accountability-report-cards>. This contains information about the district regarding the quality of the district's programs and its progress toward achieving stated goals.
5. **Release of Directory Information** - The law allows schools to release 'directory information' to certain persons or organizations such as military recruiters and colleges. Directory information may include a student's name, address, telephone information, e-mail address, date of birth, major field of study, participation in officially recognized activities and sports, weight & height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student. If you wish that the district withhold any of this information, contact your appropriate site Principal. [E.C. section 49061(c)].
6. **Homeless Students / Release of Directory Information** – Written consent of the parent or that of the student, if accorded parental rights, must be obtained before directory information pertaining to a homeless student may be released. [E.C. section 49073(c); 20 USC 1232g]
7. **Advanced Placement Examination Fees** – State funds may be available to cover the costs of Advanced Placement examination fees. [E.C. sections 48980(j) and 52242.]

DUE PROCESS PROTECTIONS AND COMPLAINTS

1. **Complaints Regarding Employees** - Any individual, public agency, or organization alleging a violation of federal or state statutes may file a written complaint regarding specific programs within the District through the Uniform Complaint Procedure.
2. **Uniform Complaint Procedures** - The District has the primary responsibility for the compliance with federal and state laws [5 CCR 4610, 4620 and 4622] The district has established procedures to address allegations of unlawful discrimination and complaints alleging violation of state or federal laws governing educational programs. It is unlawful to discriminate on the basis of ethnic group identification, religion, age, sex, marital, parental or family status, gender, which includes a person's gender identity and gender expression, sexual orientation, race, color, ancestry, national origin, immigration status, physical or mental disability, or genetic information. For the full list of the prohibited types of discrimination, please see provision 5, "Complaints Regarding Discrimination and the Education of Disabled Students" below. (Copies of UCP Board Policy 1312.3 and UCP Administrative Regulation 1312.3 are available at the District Office or online at <https://www.lgsuhd.org/about-us/notice-of-non-discrimination>)

The Uniform Complaint Procedures shall be used to investigate and resolve complaints alleging the district's violation of applicable state or federal law or regulations governing the following program and activities:

- Adult Education
- After School Education and Safety
- Agricultural Vocational Education
- American Indian Education Centers and Early Childhood Education Program
- Assessments
- Bilingual Education
- California Peer Assistance and Review Programs for Teachers
- Career Technical Education
- Child Care and Development
- Compensatory Education
- Consolidated Categorical Aid
- Economic Impact Aid
- English Learner Programs

- Every Student Succeeds Act / No Child Left Behind (Titles I–VII)
- Migrant Education
- Regional Occupational Centers and Programs
- School Safety Plans
- State Preschool
- Tobacco-Use Prevention Education
- Local Control Accountability Plans (LCAP)
- Course periods without educational content
- Educational rights of students in foster care, homeless students, current and former juvenile court school students, and children living in active duty military households
- Physical Education instructional minutes
- Pupil Fees
- Reasonable accommodations for lactating students

A student enrolled in a public school shall not be required to pay a fee for the student(s) participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. [E.C. sections 49013, 52075; and 5 CCR 4630]

The Uniform Complaint Procedures shall also be used to investigate and resolve any complaint, by or on behalf of a former juvenile court school student who transfers into the district after the student(s) second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in the juvenile court school or the grant of an exemption from Board-imposed graduation requirements. [E.C. sections 51225.1 and 51225.2.] The Superintendent or designee shall post a standardized notice of the education rights of former juvenile court school students now enrolled at the district. [E.C. sections 48853, 48853.5, 49069.5, 51225.1, and 51225.2.]

- a. Complaints made under this procedure shall be directed to the Assistant Superintendent, Student Services/Special Education, Heath Rocha at 17421 Farley Road West, Los Gatos, CA 95030. hrocha@lgsushd.org | 408-354-2520
- b. You may contact our Superintendent to obtain a free copy of the district's complaint procedures. (BP/AR 1312.3)*
- c. In addition to this procedure you have a right to:
 - i. Direct your complaint directly to the CDE State Superintendent of Public Instruction.
 - ii. Appeal to the CDE State Superintendent of Public Instruction a complaint that has not been resolved to your satisfaction by the school district. *Any appeal to California Department of Education must include a copy of the locally filed complaint and a copy of the District's decision. [5CCR 4632(c)]*
- d. In addition to this procedure, you may wish to:

- i. Direct a complaint to appropriate agencies for investigation.
 - ii. Consult with an attorney to determine if you have legal rights that may be pursued through available civil law remedies.

- 3. **Pupil Fee Noncompliance** - Complaints regarding the imposition of pupil fees for participation in educational activities may be filed with the school Principal and may be submitted anonymously, if you wish. If complainant is not satisfied with the District's decision, complainant may appeal to, and receive a written decision from, the CDE within 60 days. [E.C. section 49013.]

- 4. **Local Control Accountability Plan Non-compliance** – School districts, charter schools and county offices of education are required to adopt and annually update their LCAPs. Complaints asserting non-compliance with LCAP requirements may be filed under the District's Uniform Complaint Procedures and may be filed anonymously. If a complainant is not satisfied with the District's decision, the complainant may appeal to the California Department of Education and receive a written decision within 60 days. [E.C. section 52075.]

- 5. **Complaints Regarding Discrimination and the Education of Disabled Students** - Our school district is committed to equal opportunity for all individuals in education. Our district programs and activities shall be free from discrimination based on a person's actual or perceived sex (sex discrimination includes sexual harassment and discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions or the denial of lactation accommodations for lactating students), gender, which includes a person's gender identity and gender expression, age, race (includes ancestry, color, ethnicity, ethnic group identification, and ethnic background), religion (includes all aspects of religious belief, observance and practice and includes agnosticism and atheism), national origin, nationality, lack of English skills, immigration status, marital or parental status, physical or mental disability, genetic information, sexual orientation (includes heterosexuality, homosexuality, and bisexuality) or any other unlawful consideration, or because a person is perceived to have one or more of the above characteristics or because a person associates with a person or group with one of more of these actual or perceived characteristics. Intimidation, harassment or bullying based upon these actual or perceived characteristics is also prohibited. The district shall promote programs which ensure that these discriminatory practices are eliminated in all district activities. [E.C. section 56501] You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA, formerly known as EHA). The California Department of Education and the Office for Civil Rights of the U. S. Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds. [E.C. sections 260, et seq., and the above cited federal statutes] If you wish further details in this regard, or wish to file a complaint, please contact the Superintendent.

- 6. **Williams Complaints** - Any individual, public agency or organization may file complaints about specified situations pertaining to: (1) instructional materials; (2) emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff; and (3) teacher vacancies or misassignments. The District's Williams Complaints Administrative Regulation **1312.4** and Exhibit (1 & 2) **1312.4*** are available upon request and online at the following location ([Administrative Regulation 1312.4/ Exhibit \(1\) 1312.4, Exhibit \(2\) 1312.4](#)).

- 7. **Uniform Complaints – Rights of Homeless and Students in Foster Care:** The district's uniform complaint procedures cover complaints pertaining to the education of homeless and students in foster care, including, but not limited to, a school district's failure to:
 - a. Allow a foster child or homeless student to remain in the student(s) school of origin while resolution of a school placement dispute is pending;

- b. Place a foster child or homeless student in the least restrictive educational programs and provide access to academic re- sources and services, and extracurricular and enrichment activities available to all students and make educational and school placement decisions based on the best interests of the child;
- c. Provide educational services for foster children living in emergency shelters;
- d. Designate a staff person as the educational liaison for foster children and homeless students. The educational liaison must ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children, and assist foster children when transferring from one school or district to another by ensuring the proper transfer of credits, records and grades;
- e. Compile and transfer the complete educational record, including full or partial credits earned and the current classes and grades, of a transferring foster child to the next educational placement;
- f. Ensure the proper and timely transfer between schools of students in foster care;
- g. Within two business days of receipt of a transfer request or notification of enrollment from the new local educational agency, transfer the student and deliver the student’s complete educational information and records to the next educational placement; and
- h. Ensure that no lowering of grades will occur as a result of a foster student’s absence due to a change in placement by a court or placing agency, or due to a verified court appearance or related court activity.

A notice summarizing the rights of foster youth is available online through the California Department of Education at <https://www.cde.ca.gov/ls/pf/fy/fyedrights.asp>

A complainant not satisfied with the district's decision may appeal to the CDE and receive a written decision from the CDE within 60 days. [E.C. sections 48853, 48853.5 (attached), 49069.5, 51225.1, 51225.2.]

- 8. Uniform Complaints – Graduation and Coursework Requirements for Foster Youth, Homeless, Former Juvenile Court, Migratory and Newly Arrived Immigrant Students Participating in a “Newcomer Program,” and Students Living in Active Duty Military Households** - The following rights apply to foster youth, homeless students, former juvenile court students, and students living in the households of parents/guardians who are active duty members of the military:
- a. Within 30 days of transferring, after the completion of the second year of high school, students must be notified that s/he may be exempt from local graduation requirements and that this exemption continues after the court’s jurisdiction over a foster child ends, when a homeless student is no longer homeless, when a student is no longer under the jurisdiction of a juvenile court, when the student no longer lives in the household of an active duty service member, or when a student no longer meets the definition of “migratory child” and/or a student participating in a newcomer program; [E.C. section 51225.1(d) and (j)];
 - b. Accept coursework satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency, even if the student did not complete the entire course; and must issue full or partial credit for the coursework completed. For students living in active duty military households, “public schools” include schools operated by the United States Department of Defense. [E.C. section 51225.2(b)];
 - c. Students may not be required to retake a course satisfactorily completed elsewhere. If the student did not complete the entire course, the school district or county office of education may not require that the student retake the portion already completed, unless the school district or county office of education, in consultation with the holder of the student’s educational rights, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a

particular course, the student must be enrolled in the same or equivalent course in order to continue and complete the entire course [E.C. section 51225.2(b) and (d)];

- d. Students may not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California [E.C. section 51225.2(e)];
- e. Exempt students transferring between schools at any time after the completion of his/her second year of high school from all coursework and other requirements adopted by the district's governing board that are in addition to the statewide coursework requirements for graduation found in Education Code section 51225.3, unless the district makes a finding that the student is reasonably able to complete the district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school [E.C. section 51225.1(a)];
- f. For students deemed reasonably able to complete the district's graduation requirements within the student's fifth year of high school, the district must do all of the following: (a) inform the student of his/her option to remain in school for a fifth year to complete the school district's graduation requirements; (b) inform the student, and the person holding the right to make educational decisions for the student, about how remaining in school for a fifth year to complete the school district's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution; (c) provide information to the student about transfer opportunities available through the California Community Colleges; and (d) upon agreement with an adult student or with a minor student's educational rights holder, permit the student to stay in school for a fifth year to complete the school district's graduation requirements [E.C. section 51225.1(b)(1)-(4)];
- g. Within 30 calendar days of the school transfer, the school district must notify a student who may qualify for the exemption from local graduation requirements, his or her parent/guardian, the person holding the right to make educational decisions for the student, the foster youth's social worker, a former juvenile court student's probation officer, and, in the case of homeless students, the school district's liaison for homeless students, of the availability of the exemption from local graduation requirements and whether the student qualifies for the exemption. [E.C. section 51225.1(d)(1) - (6)]

If the school district fails to provide timely notice of these rights, the student will be eligible for the local graduation requirements exemption even after the student is no longer: (1) homeless, (2) in foster care, (3) under the juvenile court's jurisdiction, (4) a "migratory child" or a student "participating in a newcomer program" as defined, or (5) living in the household of an active duty military service member, if the student otherwise qualifies for the exemption. [E.C. section 51225.1(d).];

- h. Students exempted from local graduation requirements who complete statewide coursework requirements before the end of their fourth year of high school may not be required or asked to graduate before the end of their fourth year of high school, if otherwise entitled to remain in attendance. [E.C. section 51225.1(e).];
- i. If a student is exempted from local graduation requirements, the school district must notify the student and the student's educational rights holder of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and must provide information about transfer opportunities available through the California Community Colleges [E.C. section 51225.1(f)];
- j. Students eligible for the exemption from local graduation requirements and who would otherwise be entitled to remain at the school, shall not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements [E.C. section 51225.1(g)];

- k. If a student is not exempted from local graduation requirements or has previously declined the exemption, the school district must exempt the student at any time if the student(s) requests and qualifies for the exemption [E.C. section 51225.1(h)];
- l. Once exempted from local graduation requirements, the school district shall not revoke the exemption [E.C. section 51225.1(i)];
- m. If a student in foster care is exempted from local graduation requirements, the exemption must continue to apply after the termination of the court's jurisdiction over the student while the student(s) is/are enrolled in school or if the student transfers to another school or school district [E.C. section 51225.1(j)(1)];
- n. If a homeless student is exempted from local graduation requirements, the exemption must continue to apply after the student is no longer homeless while s/he is enrolled in school or if the student transfers to another school or school district [E.C. section 51225.1(j)(2)];
- o. If a former juvenile court school student is exempted from local graduation requirements, the exemption must continue to apply after the termination of the court's jurisdiction over the student while s/he is enrolled in school or if the student transfers to another school or school district [E.C. section 51225.1(j)(3)];
- p. For students living in active duty military households, the exemption will continue to apply after: (1) a student transfers to another school or school district, or (2) a student no longer meets the "child of military family" definition. [E.C. section 51225.1(j)(4)];
- q. For a student who is a migratory child and/or is participating in a newcomer program, the exemption will continue after the student no longer meets the definition of "migratory child" and/or a "student participating in a newcomer program", respectively. [E.C. section 51225.1(j)(5) and (6)];
- r. A school district may not require or request that students transfer schools in order to be exempted from local graduation requirements [E.C. section 51225.1(k)]; and
- s. Transfer requests may not be made on a student's behalf solely to qualify the student for an exemption under this section. [E.C. section 51225.1(l)]

Non-Compliance Complaints

Complaints of non-compliance may be filed under the local educational agency's Uniform Complaint Procedures. A complainant not satisfied with the local education agency's decision may appeal to the California Department of Education (CDE) and receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal. [E.C. sections 51225.1(m) and 51225.2(f)]

9. Uniform Complaints – Assigning Students to Course Periods Without Educational Content -

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

School districts are also prohibited, without written parental consent and related documentation, from enrolling 9-12th graders in classes they have previously completed and received a grade that is satisfactory to receive a high school diploma and to attend a California public institution of postsecondary education. Non-compliance complaints may be filed under the District's Uniform Complaint Procedures. A

complainant not satisfied with the district's decision may appeal to the CDE and receive a written decision from the CDE within 60 days. [E.C. sections 51228.1, 51228.2, and 51228.3.]

10. Uniform Complaints –Physical Education Instructional Minutes -

Middle and High School Students in Grades 7-12: Unless exempted pursuant to Education Code section 51241, students are required to receive at least 400 minutes of physical education instruction each 10 school days. High school students may be excused from physical education classes during one of grades 10, 11 or 12 for up to 24 clock hours in order to participate in automobile driver training, but must still attend a minimum of 7,000 minutes of physical education instruction during that school year. (Education Code section 51222 (a).)

Complaints regarding a school district's failure to comply with these physical education instructional minute requirements may be filed under the District's Uniform Complaint Procedures. Complainants not satisfied with the District's decision may appeal to the CDE and receive a written decision from the CDE within 60 days. [E.C. sections 51210, 51222 (a) and 51223.]

11. Uniform Complaints – Lactation Accommodations for Parenting Students

School districts must provide reasonable accommodations to lactating students on school campuses to express breast milk, breast-feed an infant child or address other needs related to breast-feeding. A student may not incur an academic penalty as a result of her use of reasonable lactation accommodations and must be provided an opportunity to make up any work missed due to such use. A complaint of noncompliance with this provision may be filed under the District's Uniform Complaint Procedures. Complainants not satisfied with the school district's decision may appeal to the CDE and receive a written decision within 60 days. [E.C. section 222(f).]

12. Uniform Complaints - Pregnant and Parenting Student Rights

Rights Under Education Code Section 221.51:

Local educational agencies (including school districts, charter schools and county offices of education):

- (a) Shall not apply any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.
- (b) Shall not exclude nor deny any student from any educational program or activity, including class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.
- (c) May require any student to obtain the certification of a physician or nurse practitioner that the student is physically and emotionally able to continue participation in the regular education program or activity.
- (d) Pregnant or parenting students shall not be required to participate in pregnant minor programs or alternative education programs. Pregnant or parenting students who voluntarily participate in alternative education programs shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
- (e) Shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disabling condition.

Rights Under Education Code Section 46015:

(a)(1) pregnant or parenting students are entitled to eight weeks of parental leave, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The student, if the student is 18 years of age or older, or, if the student is under 18 years of age, the person holding the right to make educational decisions for the

student, shall notify the school of the student's intent to exercise this right. Failure to notify the school shall not reduce these rights.

(2) A pregnant or parenting student who does not wish to take all or part of the parental leave to which s/he is entitled shall not be required to do so.

(3) A pregnant or parenting student is entitled to receive more than eight weeks of parental leave if deemed medically necessary by the student's physician.

(4) When a student takes parental leave, the supervisor of attendance shall ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program or an alternative education program.

(5) During parental leave, a local educational agency shall not require a pregnant or parenting student to complete academic work or other school requirements.

(6) A pregnant or parenting student may return to the school and the course of study in which he or she was enrolled before taking parental leave.

(7) Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.

(8) Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the school in which the student was previously enrolled when it is necessary in order for the student to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the student is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

(9) A student who chooses not to return to the school in which he or she was enrolled before taking parental leave is entitled to alternative education options offered by the local educational agency.

(10) A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.

(11) A student shall not incur an academic penalty as a result of his or her use of these accommodations.

Non-Compliance Complaints

(b) A complaint of noncompliance with these requirements may be filed under the District's Uniform Complaint Procedures. The District shall respond to a complaint within 60 days. A complainant not satisfied with the District's decision may, within 15 days of receipt of the decision, appeal the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal. If the District finds merit in a complaint, or if the CDE finds merit in an appeal, the District shall provide a remedy to the affected student.

- 13. Juvenile Court Students Who Have Qualified for a Diploma - Graduation Requirements and Continuing Education Options** - Juvenile court students who have qualified for a diploma have additional rights related to deferring or declining the issuance of a diploma in order to take additional coursework, continuing their education upon release from the juvenile detention facility, and community college transfer opportunities. [E.C. section 48645.7]
- 14. Special Education Programs** - Complaints regarding special education programs are no longer covered by the District's Uniform Complaint Procedures. For more information, please refer to the Notice of Procedural Safeguards under the IDEA. Complaints alleging that a student was discriminated against due to his or her disability still fall under the District's Uniform Complaint Procedures.
- 15. Child Nutrition Program Complaints** - Complaints related to Child Nutrition Programs established

pursuant to the National School Lunch Program, Summer Food Service Program, Child and Adult Care Food Program, Special Milk Program, School Breakfast Program, and Food Distribution Program are no longer processed through the District's Uniform Complaint Procedures. Instead, complaints must be processed through the existing procedures outlined in federal regulations and new, related state regulations. A complaint must be submitted within one year of the date of the alleged violation, and may be filed by phone, e-mail, or letter. Please see California Code of Regulations, title 5, sections 15580 – 15584 for more information. [5 CCR §§ 15580 – 15584]

MISCELLANEOUS

1. **New additions to List of Student Discipline Matters** - A comprehensive discussion of the rules and offenses related to student discipline can be obtained at the District Office. [E.C. section 48915]
2. **Student Sexual Harassment** – Students in grades 4 through 12 may be suspended or expelled for sexual harassment. The Board of Trustees prohibits sexual harassment in the educational environment by any person in any form. Sexual harassment is in violation of federal and state laws, including Title VII of the Civil Rights act of 1964 and Title IX of the Education Amendments of 1982. Within the educational environment sexual harassment is prohibited between students, employees and students, and supervisors and students. Repeated or unwarranted verbal or physical sexual advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone in the educational environment which are offensive or objectionable to the student or which cause the student discomfort or humiliation, or which interfere with the student's performance, are prohibited. Action will be taken when necessary to eliminate such practices or remedy their effects. Students who engage in such harassment may be subject to disciplinary action up to and including expulsion (Education Code sections 212.5; 230; 48900.2). The principal or designee shall discuss the district's sexual harassment policy with their students and employees and assure them that they are not required to endure sexually insulting, degrading or exploitative treatment or any other form of sexual harassment. The principal or designee shall provide staff in-service or student instruction and counseling as needed (Title VIII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972).

Students and staff are encouraged to immediately report incidents of sexual harassment to the principal or designee. The principal or designee shall promptly investigate each complaint of sexual harassment in a way that ensures the privacy of all parties concerned. In no case shall the student be required to resolve the complaint directly with the offending person.

3. **Use of the Internet and/or On-Line Sites** – The District provides pupils with access to the Internet or an on-line service. All students are required to sign an Acceptable Use Agreement/Policy (a copy of this agreement is available at the District Office). This privilege will be revoked for inappropriate use/abuse.
4. **Sex Offender Information: “Megan’s Law”** – The Sex Offender Identification Line is a telephone service for use by the public and organizations to identify serious sex offenders. This district does not disseminate this information; however, anyone at least 18 years of age may call (900) 463-0400. You will need the following information on the person you are checking on: Name and one of the following: address, birth date, driver's license number or Social Security number. You will be charged a flat rate of \$10 for information on up to two individuals. You may also receive information from your local law enforcement agency or view the Attorney General's Home Page at <https://oag.ca.gov/home>
5. **College Entrance Requirements / Education** – In addition to the rights described in Education Code sections 51100-51102, students and parents have the right to be informed of college entrance requirements. It is critically important to know how to assist those students who choose to pursue a college education. Students and parents need to know the series of college preparatory classes to take

in high school. The minimum requirements vary, depending on the selected college or university. The a-g requirements noted below are submitted by the Regents of the University of California and are, generally, the most rigorous:

- An English class every semester of every year for four years.
- A mathematics class every semester of every year for three years, including algebra and geometry. Four years are recommended.
- Two years of a laboratory science beyond the ninth grade. An additional year is recommended.
- Two years of history-social science, which are to include U.S. government, world history, culture, and geography.
- Two years of the same language other than English.
- Two years of college preparatory electives in addition to those required in "a-e" above.
- One year of visual and performing arts, effective for the entering class of 2003.

Scholastic Aptitude Test (SAT) and American College Test (ACT) scores are currently not required by the UCs or CSUs and will not be used in admission decisions. Students do have the option to submit them to be used for level placement decisions.

a. College Admissions Requirements:

University of California – there are three paths to eligibility: (1) Eligibility in the Statewide Context - students must complete specific coursework and college admissions tests and earn the required GPA and test scores; (2) Eligibility in the Local Context (ELC) - students must rank in the top 4 percent of their graduating class at a participating California high school; and (3) Eligibility by Examination Alone - students must achieve specified high scores on their college admissions tests.

The following website links provide more information regarding University of California admission requirements:

<https://admission.universityofcalifornia.edu/admission-requirements/freshman-requirements/>
https://admission.universityofcalifornia.edu/admission-requirements/undergrad_adm/

California State University - Most applicants who are admitted meet the standards in each of the following areas: (1) specific high school courses; (2) grades in specified courses and test scores; and (3) graduation from high school.

The following website link provides more information regarding the California State University admission requirements: http://www.csumentor.edu/planning/high_school/

b. Career Technical Education:

Career Technical Education is a program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. For more information, visit the California Department of Education's website at <http://www.cde.ca.gov/ci/ct/>

Guidance Counseling - Students may meet with guidance counselors at their school to discuss college

admission requirements and/or to enroll in career technical education courses.

6. **Cal Grant Program / Senior Opt-Out** – School districts shall give written notice annually, by January 1, to each 11th grade student and to the parents/guardians of 11th graders under the age of 18, that students will be automatically deemed Cal Grant applicants unless the student, or the parent/guardian if the student is a minor, opts out within 30 days of receipt of this notice. Students who are 18 years or older and parents/guardians of minor 11th graders may contact their school site guidance counselor if they do not want their grade point average reported to the California Student Aid Commission (CSAC) for purposes of the Cal Grant Program. The District’s high schools plan to first submit senior GPA’s electronically to the CSAC before October 1.
7. **Future College or University** - Because of rising costs, it is important for you to invest early for the future college or university education of your child. You may wish to consider appropriate investment options including, but not limited to, U. S. Savings Bonds. [E.C. section 48980(d)]
8. **Management Plan for Asbestos-Containing Material** - A complete, updated management plan for asbestos- containing material in school buildings is available at each school office.
9. **Pesticide Warnings** - The district has implemented an integrated pest management (IPM) program designed to effectively control pests using a combination of techniques. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment may be used according to established regulations and treatment thresholds. Pursuant to the Healthy Schools Act of 2000, the district is required to notify staff, parents, or guardians of the name of all pesticide products expected to be applied at the school facility during the upcoming year. The list of pesticides can be found online at chrome-extension://efaidnbnmnnibpcajpcglclefindmkaj/https://resources.finalsite.net/images/v1681270512/lgsuhsdorg/dyce4o7bbk8fvilnwwn1/ipm_plan_LGSUHSD_CFajarod_2023_PSF.pdf and are products that can be expected to be applied at the school. Please contact your school if you would like to be notified at least 72 hours prior to the application of pesticides. Information regarding pesticide information may be obtained at website for the California Department of Pesticide Regulation at www.cdpr.ca.gov. Copies of the District’s Integrated Pest Management plan, Administrative Regulation 3514.2 – Integrated Pest Management, are available in the school offices and on the District’s website, under board policies, at <https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030307&revid=H70mfu9UgCUslshb6wBlhslshJDA==&ptid=amlgTZiB9plushNjl6WXhfiOQ==&secid=y1ZW0qRGjEafuplusqEjNeK2Q=&PG=6&IRP=0&isPndg=false>
10. **Tattooing or Body Piercing** - It is a misdemeanor to tattoo or offer to tattoo a person under the age of 18. It is an infraction of the law to perform or offer to perform body piercing on a person under the age of 18, except in the presence of, or as directed by a notarized writing signed by, the parent or guardian. This does *not* include ear piercing. [Penal Code sections 652, 653]
11. **School Safety Plans** - Notice of the plan details is available to the public through the District Office on request, and copies are provided to local law enforcement. Please contact your school for any questions or information.
12. **Firearm Safety and Safe Storage of Firearms Information** - Beginning with the 2023-2024 school year, school district are required to include information in their Annual Notices related to the safe storage of firearms and California’s child access prevention laws, which establish liability for parents and guardians who should have known that their child could gain access to a firearm at home. The information included in the Annual Notice must be informed by model content developed by the California Department of Education (CDE), which will be updated annually. The CDE has until July 1, 2023 to develop model content. [E.C. section 49390 et seq.]

- 13. Translation** - When 15% or more of the pupils enrolled in a public school that provides instruction in Kindergarten or any of grades 1 -12 speak a single primary language other than English, as determined from the census data submitted to the Dept. of Ed. Pursuant to Sec. 52164 in the preceding year, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to being written in English, be written in such primary language, and may be responded to either in English or the primary language. [E.C. section 48985.]
- 14. Further Information is Available** - Further information regarding our district schools, programs, policies, and procedures are available to any interested person upon request to our District Office.

The following documents are attached and are also available in the District Office and /or online at <https://simbli.eboardsolutions.com/Policy/PolicyListing.aspx?S=36030307>:

- *[Education Code section 48205](#) – Excused Absences
- *[Education Code Section 58501](#) – Notice of Alternative Schools
- *[Education Code section 48853.5](#) – Foster Student Rights
- *[Sexual Harassment Policy – BP 5145.7](#)
- *Title IX Sexual Harassment Complaint Procedures – [AR5145.71](#) / [Exhibit 5145.71](#)
- *Uniform Complaint Policy [BP 1312.3](#) / [AR 1312.3](#) / [Exhibit 1312.3](#)
- *Williams Complaints – [AR 1312.4](#) / [Exhibit\(1\) 1312.4](#), [Exhibit\(2\) 1312.4](#)

Education Code Section 48205 – Excused Absences

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
 - (2) Due to quarantine under the direction of a county or city health officer.
 - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
 - (4) For the purpose of attending the funeral services of a member of 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, including absences to care for a sick child, for which the school shall not require a note from a doctor.
 - (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 the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
 - (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.
 - (11) For the purpose of participating in a cultural ceremony or event.
 - (12) (A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.
 - (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
 - (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.
 - (13) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- (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) For purposes of this section, the following definitions apply:

(1) A “civic or political event” includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

(2) “Cultural” means relating to the habits, practices, beliefs, and traditions of a certain group of people.

(3) “Immediate family” means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

(Amended by Stats. 2022, Ch. 921, Sec. 1. (SB 955) Effective January 1, 2023.)

Education Code Section 58501 – Notice of Alternative Schools

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

(a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.

(b) Recognize that the best learning takes place when the student learns because of his desire to learn.

(c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects.

(d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.

(e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

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

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

(Amended by Stats. 1981, Ch. 469, Sec. 3.)

Education Code Section 48853.5 – Foster Student Rights

(a) This section applies to a foster child. “Foster child” means any of the following:

(1) A child who has been removed from their home pursuant to Section 309 of the Welfare and Institutions Code.

(2) A child who is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code,

whether or not the child has been removed from their home.

(3) A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law.

(4) A child who is the subject of a voluntary placement agreement, as defined in subdivision (p) of Section 11400 of the Welfare and Institutions Code.

(b) The department, in consultation with the California Foster Youth Education Task Force, shall develop a standardized notice of the educational rights of foster children, as specified in Sections 48850 to this section, inclusive, and Sections 48911, 48915.5, 49069.5, 49076, 51225.1, and 51225.2. The notice shall include complaint process information, as applicable. The department shall make the notice available to educational liaisons for foster children for dissemination by posting the notice on its internet website. Any version of this notice prepared for use by foster children shall also include, to the greatest extent practicable, the rights established pursuant to Section 16001.9 of the Welfare and Institutions Code. In developing the notice that includes the rights in Section 16001.9 of the Welfare and Institutions Code, the department shall consult with the Office of the State Foster Care Ombudsperson.

(c) Each local educational agency shall designate a staff person as the educational liaison for foster children. In a school district that operates a foster children services program pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24 of Division 3, the educational liaison shall be affiliated with the local foster children services program. The educational liaison shall do both of the following:

(1) Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children.

(2) Assist foster children when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records, and grades.

(d) A foster child's educational rights holder, attorney, and county social worker and an Indian child's, as defined in Section 224.1 of the Welfare and Institutions Code, tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.

(e) This section does not grant authority to the educational liaison that supersedes the authority granted under state and federal law to a parent or legal guardian retaining educational rights, a responsible adult appointed by the court to represent the child pursuant to Section 361 or 726 of the Welfare and Institutions Code, a surrogate parent, or a foster parent exercising the authority granted under Section 56055. The role of the educational liaison is advisory with respect to placement decisions and determination of the school of origin.

(f) (1) At the initial detention or placement, or any subsequent change in placement of a foster child, the local educational agency serving the foster child shall allow the foster child to continue the foster child's education in the school of origin for the duration of the jurisdiction of the court.

(2) If the jurisdiction of the court is terminated before the end of an academic year, the local educational agency shall allow a former foster child who is in kindergarten or any of grades 1 to 8, inclusive, to continue the former foster child's education in the school of origin through the duration of the academic school year.

(3) (A) If the jurisdiction of the court is terminated while a foster child is in high school, the local educational agency shall allow the former foster child to continue the former foster child's education in the school of origin through graduation.

(B) For purposes of this paragraph, a school district is not required to provide transportation to a former foster child who has an individualized education program that does not require transportation as a related service and who changes residence but remains in the former foster child's school of origin pursuant to this

paragraph, unless the individualized education program team determines that transportation is a necessary related service.

(4) To ensure that the foster child has the benefit of matriculating with the foster child's peers in accordance with the established feeder patterns of school districts, if the foster child is transitioning between school grade levels, the local educational agency shall allow the foster child to continue in the school district of origin in the same attendance area, or, if the foster child is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, to the school designated for matriculation in that school district.

(5) (A) Paragraphs (2), (3), and (4) do not require a school district to provide transportation services to allow a foster child to attend a school or school district, unless there is an agreement with a local child welfare agency that the school district assumes part or all of the transportation costs in accordance with Section 6312(c)(5) of Title 20 of the United States Code, or unless otherwise required under federal law. This paragraph does not prohibit a school district from, at its discretion, providing transportation services to allow a foster child to attend a school or school district.

(B) In accordance with Section 6312(c)(5) of Title 20 of the United States Code, local educational agencies shall collaborate with local child welfare agencies to develop and implement clear written procedures to address the transportation needs of foster youth to maintain them in their school of origin, when it is in the best interest of the foster youth.

(6) The educational liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, may recommend, in accordance with the foster child's best interests, that the foster child's right to attend the school of origin be waived and the foster child be enrolled in a public school that pupils living in the attendance area in which the foster child resides are eligible to attend.

(7) Before making a recommendation to move a foster child from the foster child's school of origin, the educational liaison shall provide the foster child and the person holding the right to make educational decisions for the foster child with a written explanation stating the basis for the recommendation and how the recommendation serves the foster child's best interests.

(8) (A) If the educational liaison, in consultation with the foster child and the person holding the right to make educational decisions for the foster child, agrees that the best interests of the foster child would best be served by the foster child's transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school.

(B) The new school shall immediately enroll the foster child even if the foster child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history pursuant to Chapter 1 (commencing with Section 120325) of Part 2 of Division 105 of the Health and Safety Code, proof of residency, other documentation, or school uniforms.

(C) Within two business days of the foster child's request for enrollment, the educational liaison for the new school shall contact the school last attended by the foster child to obtain all academic and other records. The last school attended by the foster child shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. The educational liaison for the school last attended shall provide all records to the new school within two business days of receiving the request.

(9) If a dispute arises regarding the request of a foster child to remain in the school of origin, the foster child has the right to remain in the school of origin pending resolution of the dispute. The dispute shall be resolved in accordance with the existing dispute resolution process available to a pupil served by the local educational agency.

(10) The local educational agency and the county placing agency are encouraged to collaborate to ensure maximum use of available federal moneys, explore public-private partnerships, and access any other funding sources to promote the well-being of foster children through educational stability.

(11) It is the intent of the Legislature that this subdivision shall not supersede or exceed other laws governing special education services for eligible foster children.

(g) For purposes of this section, "school of origin" means the school that the foster child attended when permanently housed or the school in which the foster child was last enrolled. If the school the foster child attended when permanently housed is different from the school in which the foster child was last enrolled, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the educational liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.

(h) This section does not supersede other law governing the educational placements in juvenile court schools, as described in Section 48645.1, by the juvenile court under Section 602 of the Welfare and Institutions Code.

(i) (1) A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a local educational agency may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written decision regarding the appeal within 60 days of the department's receipt of the appeal.

(3) If a local educational agency finds merit in a complaint, or if the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

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

(Amended by Stats. 2022, Ch. 400, Sec. 4. (AB 740) Effective January 1, 2023.)