



Notice of Parental and Legal Guardian Rights

last modified October 2023

Section 48980 of the California Education Code requires that, at the beginning of the first semester or quarter of the regular school term, the governing board of each school district must notify parents/guardians of the rights and responsibilities under certain provisions of the Education Code. Other provisions of state and federal law also require notification of parents/guardians. Section 48982 of the California Education Code requires that parents/guardians sign and return this notice. By signing the acknowledgement you state that you have been informed of your rights, however such acknowledgment does not indicate that consent to participate in a particular program has been given or withheld.

The following is a list of the rights and responsibilities you have as a parent or guardian of a child in public school. The rights and responsibilities listed are granted by federal or state laws, regulations and court decisions. Please read each section carefully.

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You have the right as a parent/guardian:

A. Student Discipline and Attendance

1. **RULES REGARDING DISCIPLINE.** To obtain a copy of the Governing Board's rules and regulations on student discipline. (Ed. Code §35291.) Rules pertaining to student discipline, including those that govern suspension or expulsion, are set forth in Education Code Sections 48900 and following.
2. **REQUIRED PARENTAL ATTENDANCE.** To be informed that you may be required to attend your child's class for a portion of the school day if they are suspended for unruly or disruptive conduct. (Ed. Code § 48900.1 and 48914.) Employers may not discriminate

against parents/guardians who are required to comply with this requirement. (Labor Code § 230.7.)

3. **INVOLUNTARY TRANSFER OF STUDENT CONVICTED OF A VIOLENT FELONY OR MISDEMEANOR.** The District Governing Board has adopted board policy 5116.2 that allows for the involuntary transfer of students who have been convicted of violent felonies and designated misdemeanors to another school within the District if the offending student and the victim of the crime are enrolled at the same school, if certain requirements are satisfied. (Ed. Code §§ 48929 and 48980(m).)
4. **ATTENDANCE OPTIONS.** To receive notification of all current statutory attendance options and local attendance options, including the school for your child to attend other than that assigned by the District. Parents will receive a written description of all options for meeting residency requirements for school attendance. (Ed. Code §§ 48980(g), 35160.5(b), 48300-48315, 46600 et seq., 48204(b), 48301, 48350.)
5. **EMPLOYMENT-BASED SCHOOL ATTENDANCE OPTIONS.** To apply for enrollment of your child in a district in which you are employed; however, the district may have the right to deny the application under certain conditions. (Ed. Code § 48204(b).) District policy limits enrollment under this Education Code to employees of Palo Alto Unified School District and to certain schools in the District.
6. **PARENT AND STUDENT LIVING AT PARENT'S PLACE OF EMPLOYMENT 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 during the school week. (Ed. Code § 48204(a)(7)).
7. **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. (Ed. Code § 46600)
8. **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 for 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. (Ed. Code §§ 48204.3 and 48980(h).)
9. **STUDENTS IN ACTIVE DUTY MILITARY FAMILIES – 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 their 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 funds 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 their school of origin for the remainder of the school year if they are in grades 1-8, or through graduation if the student is in high school.

10. **MIGRATORY CHILDREN – RESIDENCY RETENTION.** 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.

11. **RESIDENCY RETENTION FOR THE STUDENTS OF DETAINED OR DEPORTED PARENTS.** 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 their parent or guardian leaving the state against their 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, as allowed under Education Code section 48050, may be required for admission or attendance in these circumstances. These students will be included in computing ADA for the purpose of obtaining apportionment state funds.

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.

12. **IMMIGRATION ENFORCEMENT – “KNOW YOUR RIGHTS”** All students have the right to a free public education, regardless of immigration status or religious beliefs. For more information, please see the resources developed by the California Attorney General at <https://www.oag.ca.gov/immigrant/rights>. (Ed. Code § 234.7.)
13. **ALTERNATIVE SCHOOLS.** To request information about enrollment in alternative schools. (Ed. Code § 58501.)
14. **ABSENCE EXCUSED FOR JUSTIFIABLE REASON.** To excuse your child from school for justifiable personal reasons upon written notice and approval by the principal or designated representative.
 - a. A pupil shall be excused from school when the absence is (Ed. Code § 48205):
 - i. Due to their illness, including absence for the benefit of the pupil’s mental or behavioral health.
 - ii. Due to quarantine under the direction of a county or city health officer.
 - iii. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
 - iv. For the purpose of attending the funeral services of a member of their 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.
 - v. For the purpose of jury duty in the manner provided for by law.
 - vi. 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.
 - vii. 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 their religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by ‘ a nonprofit organization when the pupil’s absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

- viii. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - ix. For the purpose of spending time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 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.
 - x. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
 - xi. For the purpose of participating in a cultural ceremony or event.
 - xii. (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 school day-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.
 - xiii. 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, therefore. 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. A pupil shall not have their grade reduced or lose academic credit for any absence or absences excused under this section if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable time period. (Ed. Code §§ 48205, 48980(i).)
 - c. Attendance at religious retreats shall not exceed four hours per semester. (Ed. Code § 48205.)

NOTE: Except when attendance is excused for justifiable personal reasons, pupils between the ages of 6 and 18 years are required by law to attend school and parents must compel their children to do so. The serious consequences of truancy have prompted the Santa Clara County Office of Education and the Palo Alto Unified School District to develop a Truancy Mediation Program in cooperation with the Offices of the

Santa Clara County District Attorney, the Department of Social Services, and the Probation Department. If your child is absent from school several times without a valid excuse, they will be declared a truant. You will be notified in writing that such action has been taken and, if necessary, assistance will be requested from the District Attorney's Advisory Board.

15. **ABSENCE FOR RELIGIOUS PURPOSES.** To excuse your child, upon written notice of consent, from school to participate in religious exercises or moral and religious instruction at your child's place of worship or other suitable place(s) away from school property. Such absences may not exceed four school days per month. An excused child must nevertheless maintain their attendance at the minimum level of school days required for their grade. (Ed. Code § 46014.)
16. **PERMISSION FOR PUPILS TO LEAVE SCHOOL GROUNDS.** The governing board of the Palo Alto Unified School District, pursuant to Section 44808.5 of the Education Code, has decided to permit the pupils enrolled at all district high schools to leave the school grounds during the lunch period. Neither the District nor any officer or employee thereof will be liable for the conduct nor safety of any high school student during such time as the student has left the school grounds. (Ed. Code § 44808.5.)
17. **SEXUAL HARASSMENT.** To receive the District's written policy of sexual harassment as it relates to students. (Ed. Code § 231.5, 48980; 5 CCR § 4917; 34 CFR 106.8.)
18. **MINIMUM AND STAFF DEVELOPMENT DAYS.** To be notified of minimum days or staff development days. (Ed. Code § 48980(c).)
19. **SAFE AND DRUG-FREE SCHOOLS PROGRAM.** To be informed that the District participates in the Safe and Drug Free Schools Program. The District offers opportunities for parental involvement in this program. You may request in writing that your student be withdrawn from this program. If you have questions please contact the Director of Student Services at (650) 833-4233. (20 USC § 7116.)
20. **STUDENTS IN TRANSITION.** To be informed that homeless students or students in transition may not be required to attend a separate school. Homeless students or students in transition may enroll in any school in the District in accordance with District policies. Homeless students and students in transition have the right to receive transportation services, educational services, and meals through school meal programs as provided for all students in accordance with District policy. For further information, contact the Director of Student Services at (650) 833-4233. (42 U.S.C. §§ 11431-11435; Ed Code § 48852.5.)
21. **STUDENT FEES, CHARGES AND DEPOSITS.** To be informed that students enrolled in the District shall not be required to pay a fee or charge, or make a deposit, as a condition for participation in District educational activities, unless authorized by law. (Ed. Code §§ 49010-49013.)
22. **FINGERPRINTING PROGRAM.** Districts are authorized to offer fingerprinting programs for children enrolled in kindergarten or newly enrolled in the district. If the district has

adopted such a program, you will be notified of procedures, applicable fee and your right to decline your child's participation upon your child's initial enrollment. (Ed. Code § 32390.)

B. Student Health

1. **CONFIDENTIAL MEDICAL SERVICES.** To be informed that school authorities will notify students in grades 7 to 12 that they may be excused from school for the purpose of obtaining confidential medical services without your consent. (Ed. Code § 46010.1.)
2. **ACCESS TO MENTAL HEALTH SERVICES.** The District will notify parents/guardians not less than twice per school year regarding how to access the District and the community's mental health services. (Ed. Code § 49428.) The District will also distribute a digitized mental health poster online to all students in grades 6 through 12. (Ed. Code § 49428.5.)

The District's mental health services, including counseling services and CARE SOLACE, an online resource with a live 24/7 concierge meant to assist individuals in finding high-quality, local mental health related and counseling services for students, families, and staff can be found here:

<https://www.pausd.org/student-supports/health-wellness/resources>

3. **IMMUNIZATION FOR SCHOOL ADMISSION.** To be informed that your child must be immunized against certain diseases before being admitted to school, unless exempted for medical reasons. The District must notify parents that they have two weeks to supply evidence either that the student has been properly immunized or is exempted from the requirement. Students who had a medical exemption issued before January 1, 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. (Ed. Code § 48216, 48980, 49403; 17 CCR 6040.)

Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016, will be exempt from the immunization requirement until they complete the grade span they were in as of January 1, 2016. Students entering the District for the first time or advancing to 7th grade after July 1, 2016 are no longer exempt from immunizations based on religious or personal beliefs. (Ed. Code § 48216 and HSC §§ 120335, 120370, and 120372.) Students qualified for an individualized education program may access special education and related services as required by their individualized education program.

4. **IMMUNIZATION FOR COMMUNICABLE DISEASE.** To consent to the immunization of your child in the event that the District should participate in an immunization program for the purposes of prevention and control of communicable diseases. Your child will not participate unless you have provided specific written consent. (Ed. Code § 49403.)

5. **ADMINISTRATION OF MEDICATION AT SCHOOL.** To request assistance in administering medication to your child during school hours. Such assistance requires your written authorization and that of a physician, surgeon or physician's assistant detailing the name of the medication, the method, amount and time schedules for taking the medication. (Ed. Code § 49423 and 5 CCR §§ 600-611.)
6. **AUTO-INJECTABLE EPINEPHRINE/INHALED ASTHMA MEDICATION.** To provide a written statement to the District allowing your child to carry and self-administer prescribed auto-injectable epinephrine and/or inhaled asthma medication. A physician or surgeon's statement confirming that your child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedule for administration must also accompany the request. In the case of auto-injectable epinephrine, a physician assistant may also provide this written statement. The parent, foster-parent or guardian must also: (1) consent in writing to the self-administration, (2) provide a release for the school nurse or other designated school personnel allowing them to consult with the student's physician and (3) agree to release the District and school personnel from civil liability in the event of an adverse reaction to the medication. These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. (Ed. Code §§ 48980, 49423, and 49423.1.) A pupil may be subject to disciplinary action if they use auto-injectable epinephrine in a manner other than as prescribed.
7. **ANTI-SEIZURE MEDICATION.** If a pupil diagnosed with seizures, a seizure disorder, or epilepsy has been prescribed an emergency anti-seizure medication by the pupil's health care provider, the district, upon receipt of a request from the parent or guardian, may designate one or more volunteers at the pupil's school to receive initial and annual refresher training regarding the emergency use of anti-seizure medication from the school nurse or other qualified person designated by an authorizing physician and surgeon. (Ed. Code § 49468.2.)
8. **TYPE I/II DIABETES INFORMATION.** Beginning January 1, 2023, the District shall make the type 1 diabetes informational materials provided by the Department of Education accessible to the parent or guardian of a pupil when the pupil is first enrolled in elementary school.
<https://www.pausd.org/parental-notice/type-1-diabetes>
Upon entering grade 7, the District shall notify parents/guardians with an information sheet regarding Type II diabetes. (Ed. Code § 49452.7.)
<https://www.pausd.org/parental-notice/type-2-diabetes>
9. **DENTAL FLUORIDE TREATMENT.** Pupils will be provided the opportunity to receive the topical application of fluoride or other decay-inhibiting agent to each pupil's teeth if the parent, or eligible pupil submits a letter stating that the treatment is desired. (H&SC §104830 et seq.)
10. **EXEMPTION FROM PHYSICAL EXAMINATION.** To exempt your child from any physical examination upon your written notification, filed annually with the principal of the

school in which your child is enrolled. However, where there is good reason to believe that your child is suffering from a recognized contagious or infectious disease, your child will be sent home and will not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist. (Ed. Code § 48980, 49451; 20 USC 1232h.)

11. **PARENT OBLIGATION TO NOTIFY.** To be informed of your obligation to notify appropriate school personnel (e.g., school nurse or designated employee) of your child's continuing medication regimen for a non-episodic condition. With your consent, the school nurse may communicate with your child's physician and may counsel school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. (Ed. Code § 49480.)
12. **MEDICAL SERVICES AND INSURANCE.** To be informed that the District does not carry insurance for medical or hospital services for injuries to pupils during normal school and athletic activities. Families may purchase reduced-cost insurance if they desire this coverage. Information is available at each school. (Ed. Code §§ 49471, 49472.)
13. **FREE AND REDUCED LUNCH PROGRAM.** To obtain information and apply for participation in the Free and Reduced Lunch Program offered by the District to provide nutritional meals to eligible students. Information and applications are available through each school office. (Ed. Code § 49510 et seq.) The District's meal payment policy can be found here: <https://www.pausd.org/school-life/food-services>
14. **TOBACCO FREE SCHOOL DISTRICT.** To be hereby notified that use of tobacco products is prohibited at all times on District property and in District vehicles. This prohibition applies to all employees, students, parents/guardians, visitors, and other persons at any school or school sponsored meeting, activity, or athletic event. (HSC § 104420; Board Policy 3513.3.)
15. **PESTICIDE USE NOTIFICATION.** To be notified in accordance with the requirements of the Healthy Schools Act of 2000 of all pesticides the District expects to apply during the year. The following is a list of all pesticide products, including the active ingredient(s), expected to be applied in your school during the upcoming year:
 - a. Alpine WSG, active ingredient: Dinotefuran 40%
 - b. Intice 10% perimeter bait, active ingredient: Boric acid 10%
 - c. Advion ant gel, active ingredient: Indoxacarb 0.05%
 - d. Avert, active ingredient: Abamectin 0.05%
 - e. Maxforce Complete Granular Bait, active ingredient: Hydramethylnon 1.0%
 - f. Ditrac, active ingredient: Diphacinone 0.005%
 - g. Vendetta Plus, active ingredient: Abamectin B1 0.05%

- h. Zythor Gas Fumigant, active ingredient: Sulfuryl Fluoride 99.3%, Carbon dioxide 0.5%
- i. Lacrythor Fumigant, active ingredient: Chloropicrin 99.5%

There are no planned application dates, these pesticides are used on an as needed basis.

Please enter a request under “Facilities” via Let’s Talk (<https://www.pausd.org/lets-talk>) if you wish to receive written notification at least 72 hours prior to the application of an individual pesticide at your school. Prior to the application of any pesticide, the District will post a warning sign at the area to be treated at least 24 hours prior to the pesticide application and such sign will remain posted for at least 72 hours after the application. In the event of an emergency condition, advance notification and prior signage posting may not be feasible, but a warning sign will be posted immediately upon application of the pesticide. For additional information regarding pesticides and pesticide use, please visit the website for the State of California’s Department of Pesticide Regulation at <http://www.cdpr.ca.gov>. (Ed. Code §§ 48980.3, 17611.5 and 17612.)

- 16. **SCOLIOSIS SCREENING NOTICE.** In addition to physical examinations required by Health and Safety Code sections 100275, 124035, and 124090, the District may provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis. (Ed. Code §§ 49451, 49452.5.)
- 17. **VISION & HEARING APPRAISAL.** The district is required to appraise each student’s vision & hearing in grades TK, KN, 2, 5, and 8. Appraisal in the year immediately following a student’s first enrollment in grades 4 or 7 shall not be required. The appraisal shall include tests for visual acuity, near vision, and color vision; however, color vision shall be appraised once. The evaluation may be waived upon presentation of a certificate from a physician, surgeon, physician’s assistant, or optometrist setting out the results of a determination of the student’s vision, including visual acuity and color vision. This appraisal is not required if a parent files a written objection based on a religious belief with the principal. (Ed Code § 49455.)

C. Student Records

- 1. **DISTRICT POLICIES.** To be informed that each school maintains mandatory permanent (kept indefinitely) and interim (may be destroyed after a stipulated length of time) student records. In addition, permitted records (may be destroyed when no longer useful) are kept. Permitted records include objective counselor/teacher ratings, disciplinary notices and data, verified reports of relevant behavior patterns, standardized test results older than three years, and supplementary attendance records. (Ed. Code § 49063; Family Educational Rights and Privacy Act (“FERPA”), 34 Code of Federal Regulations (CFR) Part 99.7.) When a student moves to a new district, records will be forwarded upon request of the new school district within 10 school days.
- 2. **RIGHT TO PRIVACY.** To know that your child's right to privacy prohibits the release of confidential information in your child's records to individuals other than yourself, your child (if 16 or older or if 14 or older and identified as both homeless and an

unaccompanied youth, certain authorized individuals, or in response to a lawfully issued subpoena or court order. (Ed. Code §49060 et seq.) School officials may be authorized to inspect student records if a legitimate educational interest exists. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill their professional responsibilities. 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 a disciplinary or grievance committee), or assisting another school official in performing his or her tasks. (FERPA, 34 CFR Part 99.7.)

3. **CONSENT TO DISCLOSURE.** To consent to disclosure of personally identifiable information contained in your child's records, except to the extent disclosure without consent is permitted by law (e.g., court order). (Ed. Code § 49073 et seq.)
4. **REVIEW AND INSPECT RECORDS.** To request access to review and inspect your child's school records during regular school hours. Access shall be granted within 5 business days following the date of the request. (Ed. Code § 49069.)
5. **COPY OF RECORDS.** To receive a copy of any information in your child's records at a reasonable cost per page. (Ed. Code § 49065.)
6. **CHALLENGE OF STUDENT RECORDS.** To request that information which you believe to be inaccurate or inappropriate, be removed from your child's records. (Ed. Code § 49070.)
7. **REMOVAL OF SUSPENSION RECORD.** A student (or the parent of the student) with senior standing who has a record of not more than one prior suspension may submit a written request to the Superintendent to remove from the student's official school file the record of that suspension, unless that suspension was for any of the following acts;
 - a. **Mandatory Recommendation (Ed. Code § 48915(c)).**
 - i. Possessing, selling, or otherwise furnishing a firearm. (Unless the student obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the principal's designee.) 2) Brandishing a knife at another person.
 - ii. Unlawfully selling a controlled substance.
 - iii. Committing or attempting to commit a sexual assault or committing a sexual battery. 5) Possession of an explosive.
 - b. **Mandatory Recommendation Unless Inappropriate (Ed. Code § 48915(a)).**
 - i. Causing serious physical injury to another person, except in self-defense.
 - ii. Possession of any knife, explosive, or other dangerous object of no reasonable use to the student.

- iii. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense of the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 - iv. Robbery or extortion.
 - v. Assault or battery, as defined by Penal Code sections 240 and 242, upon any school employee.
8. **FILE COMPLAINT.** To file a complaint with the United States Department of Health, Education, and Welfare concerning alleged failure by the District to comply with the requirements of the General Education Provisions Act. (20 U.S.C § 1232(e).) To file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. (34 CFR Part 99.7). The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.
9. **RELEASE OF DIRECTORY INFORMATION.** To be notified that California law allows the following directory information to be disclosed by school officials: student's name, address, e-mail address, telephone number, date of birth, major field of study, participation in officially recognized sports and activities, weight and height of athletic team members, dates of attendance, degrees and awards received, and the most recent previous school attended. Directory information released to PTAs, FOCUS, CHS Alumni Association, law enforcement agencies, military recruiters and institutions of higher education may include a student's name, address, e-mail and telephone number. Parents may request in writing that directory information not be released. Any request to withhold directory information must be received by the school within 7 days from this notice. (Ed. Code § 49073 et seq.; 20 USC § 7908 and 34 CFR § 99.37(a)(3).)
10. **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. (Ed. Code § 49073(c) and 20 USC § 1232g.)
11. **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 the Director of Student Services at 624-1546, extension 2081 if they do not want their grade point average reported to the California Student Aid Commission (CSAC) for purposes of the Cal Grant Program. PAUSD and PAUSD Valley High Schools must submit senior GPAs electronically to the CSAC no later than October 1 of each year. (Ed. Code § 69432.9(d).)
12. **NOTIFICATION TO TEACHERS.** To be informed that the District will notify your child's teacher(s), in confidence, if your child has caused or attempted to cause serious bodily

injury to another person. The information provided to the teacher(s) will be based on any written records that the District maintains or receives from a law enforcement agency regarding your child. (Ed. Code § 49079.)

13. **TRANSFER OF SUSPENSION AND EXPULSION DISCIPLINARY RECORDS.** The District will forward student records, including suspension and/or expulsion disciplinary records, to other schools that have requested the records and in which the student seeks or intends to enroll. (FERPA, 34 (CFR) Part 99.7 and § 99.34(a)(ii).)

D. Student Instruction

1. **RIGHT TO REFUSE OR REFRAIN FROM INSTRUCTION INVOLVING THE USE OF ANIMALS OR ANIMAL PARTS.** To substantiate your child's moral objection to dissecting, destroying or otherwise harming animals as part of an education project. Teachers of courses utilizing dead animals or animal parts will inform students of their right to object to participate in a particular project involving the harmful or destructive use of animals. Your written note attesting to your child's objection may, at the teacher's option, entitle your child to participation in an alternative education project or to be excused from the project altogether. (Ed. Code § 32255 et seq.) Classes and activities, conducted as a part of a program in agricultural education that provide instruction on the care, management, and evaluation of domestic animals are exempt from these provisions.
2. **AVAILABILITY OF HOME/HOSPITAL INSTRUCTION.** To have your child with a temporary disability receive individual instruction if attendance in the regular day classes or alternative education program in which the student is enrolled is impossible or inadvisable. Individual instruction may be provided at the student's home, in a hospital, or other residential health facility. When a student becomes temporarily disabled, it is the parent/guardian's responsibility to notify the school district where the student attends, resides, and/or where the student receives care if an individualized instruction program is desired.

“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 school district may continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or other residential health facility in order to facilitate the timely reentry of the pupil in their prior school after the hospitalization has ended, or in order to provide a partial week of instruction to a pupil who is receiving individual instruction in a hospital or other residential health facility, for fewer than five days of instruction per week, or the equivalent, as described in subdivision (c) of Section 48206.3.

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. It is the primary responsibility of a parent or guardian of a student with a temporary disability to notify the school district in which the student is deemed to reside due to the student's presence in a qualifying hospital. 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 determine whether the student will be able to receive individual instruction, and, if so, when the individual instruction may commence. Individual instruction must commence within five working days of that determination.

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. The school district providing the instruction may enter into an agreement with the school district which the student previously attended to have that school district provide the student with individual instruction.

When a student receiving individual instruction is well enough to return to school, they must be allowed to return to the school that they 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 their 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 they are not receiving individual instruction in a hospital or other residential health facility, if they are 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. (Ed. Code §§48206.3, 48207, 48207.3, 48207.5, 48208, 48240 (c) and 48980(b).)

3. **SPECIAL EDUCATION.** To be informed of District programs for students with exceptional needs, including your right to have your child placed in an appropriate program, and to be consulted about the assessment and placement of your child. Students with exceptional needs have a right to a free appropriate public education. (Ed. Code §56000, et seq.) A parent who suspects his or her child is an individual with exceptional needs may request assessment for special education and related services. (Ed. Code § 56301.)
4. ***SEX EDUCATION AND HIV/AIDS PREVENTION EDUCATION.** To be informed, in writing, of comprehensive sexual health education and HIV/AIDS prevention education and research on student health behaviors planned for the coming year. You may ask to inspect the written and audiovisual education materials used for this instruction and to request a copy of Education Code sections 51930-51939. You have the right to be informed whether this instruction will be taught by District personnel or by outside consultants. The use of outside consultants or guest speakers is within the discretion of

the District. You have the right to request in writing that your child be excused from all or part of any comprehensive sexual health education, HIV/AIDS prevention education or assessments related to that education. This notice does not apply to human reproductive organs which may appear in physiology, biology, zoology, general science, personal hygiene, or health textbooks, adopted pursuant to law. (Ed. Code §§ 51937, 51938 and 51939.)

5. ***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. You have a right to excuse your child from the test, questionnaire, or survey through a passive consent ("opt-out") process. 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. (Ed. Code §§ 51938(c) and 51939.)
6. **PARENT NOTIFICATION OF POTENTIAL FAILING GRADE.** To be notified, either by conference or written report, whenever it becomes evident to the teacher that the student is in danger of failing a course. (Ed. Code § 49067.)
7. ***PERSONAL BELIEFS.** To be notified that no test, questionnaire, survey, or examination which has questions about the student's, or parent/guardian's beliefs and practices in sex, family life, morality or religion shall be administered without prior notification and written permission of the parent or guardian. To inspect all instructional materials, including teacher's manuals, films, tapes or other supplementary material to be used in connection with any survey, analysis or evaluation. (Ed. Code §§ 51513 and 60614; 20 U.S.C. § 1232h(b).)
8. ***POLITICAL AFFILIATIONS/BEHAVIOR/CLOSE FAMILY RELATIONSHIPS.** To be notified in writing if a test, questionnaire, survey or examination is to be administered to your child containing questions about their, or your: political affiliations or beliefs, illegal, anti-social, self-incriminating, or demeaning behavior, mental or psychological problems, lawyer, physician, minister, critical appraisals of individuals with whom you have close family relationships and income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program). You have the right to inspect all instructional materials, including teacher's manuals, films, tapes or other supplementary material to be used in connection with any survey, analysis or evaluation. You have the right to consent to the administration of such a test, questionnaire, survey or examination. (20 U.S.C. § 1232h(b).)

9. **AVAILABILITY OF COURSE DESCRIPTION FOR REVIEW.** To request to review a course outline describing the curriculum, including titles, descriptions, and instructional aims of every course offered by your child's school. (Ed. Code § 49091.14.)
10. **GRADUATION REQUIREMENTS.** To be made aware of the District's graduation requirements. (Ed. Code § 51225.3.)
11. **CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP) EXEMPTION.** 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. (Ed. Code § 60615; 5 CCR § 852.)
12. **PARENT INVOLVEMENT.** To be made aware of the District's Parent Involvement program or policy. (Ed. Code § 11500 et seq.)
13. **CAREER COUNSELING AND COURSE SELECTION.** To be notified, at least once, in advance of career counseling and course selection commencing with course selection for grade 7 so that you may participate in the counseling sessions and decisions. (Ed. Code § 221.5(d).)
14. **ADVANCED PLACEMENT EXAMINATION FEES.** To be informed of the availability of state funds to cover the costs of Advanced Placement examination fees pursuant to Education Code section 52242. (Ed. Code § 48980(j).)
15. **COLLEGE ADMISSIONS REQUIREMENTS/CAREER TECHNICAL EDUCATION.** Parents of students enrolled in grades 9-12 have a right to receive annual notice of the following college admissions requirement and career technical education information:

a. College Admissions Requirements

- i. University of California: There are three paths to eligibility for freshmen:
 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.
 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>

- ii. 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
 3. Graduation from high school

The following website link provides more information regarding the California State University admission requirements:

<https://www.calstate.edu/apply>

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/> (Ed Code §§ 48980, 51225.3.)

c. **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. (Education Code §§ 51229 and 48980(k).)

E. Uniform Complaint Procedures

Title 5 of the California Code of Regulations requires school districts to adopt and provide Uniform Complaint Procedures to assist you with questions regarding your rights. (Ed Code § 49013; 5 CCR § 4622) Copies of the District's Uniform Complaint Procedures are available free of charge.

1. **NON-DISCRIMINATION.** Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and California law prohibit discrimination on the basis of race, color, national origin, or sex in federally financed education programs or activities. District programs shall be free from discrimination based on age, sex (sex discrimination includes discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions, or denial of lactation accommodations for lactating students) gender (including a person's gender identity and gender expression, which is a person's gender-related appearance and behavior whether or not stereotypically associated with a person's assigned sex at birth), race, color, religion (including agnosticism, atheism and all aspects of religious belief, observance and practice), ancestry, national origin, ethnic group identification, ethnic background, lack of English skills, immigration status, marital, family or parental status, physical or mental disability, genetic information, sexual orientation (including heterosexuality, homosexuality and bisexuality) or the perception of one or more of such characteristics. Harassment, intimidation, or bullying based upon these actual or perceived characteristics or on a person's association with a person or group with one or more of these actual or perceived characteristics is also prohibited. The Board is committed to a workplace that is free from discrimination

and/or gender bias and shall promote programs which ensure that discriminatory practices are eliminated in all District activities. Any questions, concerns, and/or complaint submissions about noncompliance can be directed to:

Robert Andrade, Title IX Coordinator & Compliance Officer
PAUSD Main Office, 25 Churchill Ave., Portable B, Palo Alto, CA 94306
(650) 833-4248
TitleIXCoordinator@pausd.org

A complaint alleging retaliation or unlawful discrimination, including discriminatory harassment, intimidation, or bullying should be filed no later than 6 months from the date it occurred or 6 months from the date the complainant first obtained knowledge of the facts, unless the time for filing is extended in writing by the Title IX Coordinator & Compliance Officer for up to 90 calendar days following the expiration of the 6 month time period, for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR § 4630).

The complaint review shall be completed within 60 calendar days of the District's receipt of complaint. This period may be extended by written agreement of the complainant and respondent.

A complainant has the right to appeal the District's decision to the CDE by filing a written appeal within 15 calendar days of receiving the District's decision. A respondent to an unlawful discrimination complaint shall have the right to file an appeal with the CDE in the same manner as the complainant. The appeal to the CDE shall include a copy of the complaint filed with the District and a copy of the District's decision. (34 CFR §§ 100.6, 104.8, 106.9 and 5 CCR § 4610(c)).

2. **PROGRAMS.** The District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing education programs. The District maintains a uniform complaint procedure for investigating complaints regarding violations of the laws and regulations governing: Consolidated Categorical Aid programs, Adult Basic Education, Vocational Education, Child Care and Development, Migrant Education, Federal School Safety Planning requirements, State Preschool Health and Safety issues, and Local Control Accountability Plan (LCAP) non-compliance. (5 CCR §§ 4600-4671).
3. **SPECIAL EDUCATION COMPLAINTS.** Complaints regarding special education programs are no longer covered by the District's Uniform Complaint Procedures. For more information, please refer to District Regulation 6159.1 (Procedural Safeguards and Complaints for Special Education). Complaints alleging that a student was discriminated against due to his, her, or their disability still fall under the District's Uniform Complaint Procedures.
4. **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 the 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 District Board Policy 3555 (Nutrition Program Compliance) for more information. (5 CCR §§ 15580 - 15584).

5. **COMPLAINTS REGARDING TEACHER VACANCIES/MISASSIGNMENTS/FACILITIES IN NEED OF CLEANING OR REPAIR/INSTRUCTIONAL MATERIALS DEFICIENCIES.** Complaints can be filed (anonymously, if you wish) with the principal or designee at the site where the problem exists. (Ed. Code § 35186)
6. **PUPIL FEE NONCOMPLIANCE.** A student enrolled in public school shall not be required to pay a fee for his, her, or their participation in an educational activity that constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities. 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 the complainant is not satisfied with the District's decision, the complainant may appeal to the California Department of Education (CDE) and receive a written decision from the CDE within 60 days. (Ed. Code § 49013).
7. **LOCAL CONTROL ACCOUNTABILITY PLAN (LCAP) NONCOMPLIANCE.** School districts, charter schools and county offices of education are required to adopt and annually update their LCAPs in a manner that includes a meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP. Complaints of LCAP noncompliance 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. (Ed. Code §§ 49013, 52059.5-52077) The public has the opportunity to submit written comments regarding specific actions and expenditures through proposed plan or annual update. (Ed. Code 52062.).
8. **UNIFORM COMPLAINTS – RIGHTS OF HOMELESS STUDENTS 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 or homeless child to remain in their 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 resources and services, and extracurricular and enrichment activities available to all students and make educational and school placement decisions based on the best interests of the child;
 - c. Provide educational services for foster children and homeless students 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 homeless students, and assist these students 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 or homeless student 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 complainant not satisfied with the District's decision may appeal to the CDE and receive a written decision from the CDE within 60 days. (Ed. Code §§§§ 48853, 49069.5, 51225.1, 51225.2).

9. UNIFORM COMPLAINTS – GRADUATION AND COURSEWORK REQUIREMENTS FOR FOSTER YOUTH, HOMELESS STUDENTS, FORMER JUVENILE COURT STUDENTS, STUDENTS LIVING IN ACTIVE-DUTY MILITARY HOUSEHOLDS, AND MIGRATORY AND NEWLY ARRIVED IMMIGRANT STUDENTS PARTICIPATING IN A “NEWCOMER PROGRAM.”

State law outlines the rights afforded to students in foster care, who are homeless, who are former juvenile court school students, students living in the household of a parent who is an active-duty member of the military, and migratory and newly arrived immigrant students participating in a “Newcomer Program”, which is a program designed to meet the academic and transitional needs of newly arrived immigrant students. The District's Uniform Complaint Procedures cover complaints pertaining to these students, including, but not limited to, the District's failure to:

- a. Exempt these students from local graduation and coursework requirements that are in addition to the statewide coursework requirements for graduation;
- b. Provide credit or partial credit for coursework completed while attending another school;
- c. Provide these students with the option to remain in school for a fifth year to complete the school district's graduation requirements; and
- d. Allow these students to decline the exemption or be denied enrollment in, or the ability to complete or retake, courses necessary to attend an institution of higher

education, regardless of whether those courses are required for statewide graduation requirements.

10. JUVENILE COURT STUDENTS – GRADUATION REQUIREMENTS AND CONTINUING

EDUCATION OPTIONS. In addition to being exempt from local graduation requirements and the right to receive credit for coursework completed while in juvenile court schools, Assembly Bill 1124 provides more extensive graduation and continuing education options for juvenile court students who have qualified for a diploma.

Education Code section 48645.7 has been added to require that county offices of education notify juvenile court students who have qualified for a diploma, their educational rights holders, and their social workers or probation officers of the following:

- a. The student’s right to a diploma without having to complete coursework or other requirements that are in addition to statewide graduation requirements (Ed. Code §§ 48645.7(a)(1)(A) and 48645.5(d));
- b. How taking coursework and other requirements adopted by the governing board of the county office of education, or continuing education upon release from the juvenile detention facility will affect the student’s ability to gain admission to a postsecondary educational institution (Ed. Code § 48645.7(a)(1)(B));
- c. Information about transfer opportunities available through the California Community Colleges (Ed. Code § 48645.7(a)(1)(C));
- d. The student’s or, if a minor, the education rights holder’s option to allow the pupil to defer or decline the diploma in order to take additional coursework if the county office of education makes a finding that the student could benefit from the additional coursework and graduation requirements adopted by the county office of education. (Ed. Code § 48645.7(b));
- e. When deciding whether to decline the diploma, the county office of education must advise the student, or if a minor, their educational rights holder, whether the student is likely to do all the following upon their release from a juvenile detention facility:
 - i. Enroll in a school operated by a local educational agency or charter school;
 - ii. Benefit from continued instruction; and
 - iii. Graduate from high school. (Ed. Code § 48645.7(c)).

Non-Compliance Complaints: Complaints of non-compliance with juvenile court students’ graduation and continuing education rights may be filed with the County Office of Education or under the District’s Uniform Complaint Procedures. A complainant not satisfied with the 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. (Ed. Code § 48645.7(e)).

11. **UNIFORM COMPLAINTS – ASSIGNING STUDENTS TO COURSE PERIODS WITHOUT EDUCATIONAL CONTENT.** Beginning with the 2016-2017 school year, 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. (Ed. Code §§ 51228.1, 51228.2, and 51228.3).

12. **UNIFORM COMPLAINTS – PHYSICAL EDUCATION INSTRUCTIONAL MINUTES.** Students in grades 1-6 are required to receive at minimum, 200 minutes of physical education instruction each 10 school days, exclusive of recesses and lunch periods. Unless exempted pursuant to Education Code section 51241, students in grades 7-12 are required to receive at minimum, 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. 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. (Ed. Code §§ 51210 and 51222).

13. **UNIFORM COMPLAINTS – LACTATION ACCOMMODATIONS FOR PARENTING STUDENTS.** School districts must provide reasonable accommodations to lactating students on school campuses to express breast milk, breastfeed an infant child or address other needs related to breastfeeding. A student may not incur an academic penalty as a result of their 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. (Ed. Code § 222).

14. **UNIFORM COMPLAINTS – PREGNANT AND PARENTING STUDENT RIGHTS.** Local educational agencies (including school districts, charter schools and county offices of

education) must notify pregnant and parenting pupils, and parents and guardians of pupils of the rights and options available to pregnant and parenting pupils under the law. (Ed. Code §§§§ 221.51, 222, 222.5, 46015).

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. A 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.
- b. A pregnant or parenting student who does not wish to take all or part of the parental leave to which they are entitled shall not be required to do so.
- c. 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.
- d. 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.

- e. During parental leave, a local educational agency shall not require a pregnant or parenting student to complete academic work or other school requirements.
- f. A pregnant or parenting student may return to the school and the course of study in which they were as enrolled before taking parental leave.
- g. Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during their leave, including, but not limited to, makeup work plans and reenrollment in courses.
- h. 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.
- i. A student who chooses not to return to the school in which they were enrolled before taking parental leave is entitled to alternative education options offered by the local educational agency.
- j. A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
- k. A student shall not incur an academic penalty as a result of their use of these accommodations.

Non-Compliance Complaints: A complaint of noncompliance with these requirements may be filed with the District under its Uniform Complaint Procedures and the District shall respond in accordance with those procedures. A complainant not satisfied with the District's decision may appeal the decision to the California Department of Education ("CDE"). If the District or CDE finds merit in a complaint, the District shall provide a remedy to the affected student.

15. UNIFORM COMPLAINTS – FORMER JUVENILE COURT SCHOOL STUDENTS'

GRADUATION REQUIREMENTS. School districts and county offices must exempt former juvenile court school students, who have transferred into a school district from a juvenile court school after completion of their second year of high school, from local graduation requirements that exceed state requirements and accept coursework satisfactorily completed while attending the juvenile court school, even if the student did not complete the entire course, and grant full or partial credit for courses earned while in juvenile court school. Former juvenile court school students may file complaints of non-compliance with these requirements under the District's Uniform Complaint Procedures. (Ed. Code § 51225.2).

F. Miscellaneous

1. **NON-DISCRIMINATION WITH RESPECT TO DISABLED INDIVIDUALS.** Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act prohibit

discrimination against qualified disabled individuals in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. Please contact the Director of Student Services with any questions or concerns. (34 CFR § 104.8; 28 CFR §35.106.)

2. **SCHOOL ACCOUNTABILITY REPORT CARDS.** You may request a copy of the School Accountability Report Card, which is issued annually for each school in the District. To do so, please contact the school principal. (Ed. Code §§ 35256, 35258.)
3. **ASBESTOS.** You may request to review the complete updated management plan for asbestos containing material in school buildings. To do so, please contact the school principal or the Chief Operations Officer at the District Office. (40 CFR §§ 763.84, 763.93.)
4. **TEACHER QUALIFICATIONS.** Parents have a right to request information regarding the professional qualifications of their child's teacher or any paraprofessional serving their child. (20 U.S.C. § 6312.; 34 CFR 200.48.)
5. **CODE OF CONDUCT FOR EMPLOYEE-PUPIL INTERACTIONS.** The Board of Education expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate.

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

Inappropriate Conduct - Inappropriate employee conduct includes, but is not limited to:

- a. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
- b. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
- c. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

- d. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
- e. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
- f. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
- g. Willfully disrupting district or school operations by loud or unreasonable noise or other action
- h. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity
- i. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
- j. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information
- k. Using district equipment or other district resources for the employee's own commercial purposes or for political activities
- l. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

- a. Causing damage to or engaging in theft of property belonging to students, staff, or the district
 - b. Wearing inappropriate attire
6. **INTERNET ACCESS POLICY.** To review Board Policy 6163.4 - Student Use of Technology which pertains to student internet access.
 7. **AUDIO RECORDING WITHOUT CONSENT.** Students may not use electronic listening or recording devices in class without the prior consent of their teacher and the principal. (Ed. Code § 51512.) (Penal Code § 632.)

8. **INVESTING FOR FUTURE EDUCATION.** To be advised of the importance of investing for education for your child and of considering appropriate investment options, including, but not limited to, United States savings bonds. (Ed. Code § 49890(d).)
9. **SCHOOL BUS SAFETY.** The District is required to provide written information on school bus safety to parents or guardians of all new pupils and pupils who have not previously been transported by school bus. (Ed. Code § 39831.5.)
10. **MULTILINGUAL EDUCATION.** If a school district implements a language acquisition program under this section, information on the types of language programs available and a description of each program must be provided to parents and guardians upon enrollment. (Ed. Code § 310.)
11. **AGE DISCRIMINATION ACT.** The Age Discrimination Act prohibits discrimination in programs or activities receiving federal and/or state financial assistance. (42 USC § 6101 et seq.)
12. **BOY SCOUTS OF AMERICA EQUAL ACCESS ACT.** The Boy Scouts of America Equal Access Act requires public schools to provide equal access to the use of school property to the Boy Scouts and other designated youth groups. (34 CFR § 108.6.)

Firearms Safety Memorandum

To: Parents and Guardians of Students in the Palo Alto Unified School District

From: Superintendent Don Austin

Subject: California Law Regarding Safe Storage of Firearms

Date: August 9, 2023 (via ParentSquare)

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the Palo Alto Unified School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

To help everyone understand their legal responsibilities, this memorandum shares the California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others. [California Penal Code sections 25100 through 25125 and 25200 through 25220.]

Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.

- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm. [See California Penal Code section 25100(c).]
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years. [See California Civil Code Section 29805.]

- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.[4]

The City of Palo Alto has restrictions regarding the safe storage of firearms. See the ordinance here: https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto_ca/0-0-0-84521

Thank you for helping to keep our children and schools safe. Remember, the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

About District Policies

NOTE: You may request policies or additional information on any of the above items by contacting the principal at each school site or the Superintendent's Office.

*Additional information, policies or notices will be provided when such activity takes place or before the particular subject is taught.

All Palo Alto Unified School District Policies can be accessed any time at:

<https://www.pausd.org/policies>