

**ANNUAL NOTIFICATION TO PARENTS  
HEALTH EDUCATION, PUPIL SERVICES, AND PARENTS' OR STUDENTS' RIGHTS**

Dear Parent/Guardian:

The following is a list of rights, responsibilities, and protections that are provided at Guajome Schools ("Guajome") (when used in this notification "parent" includes a parent or legal guardian):

**SEXUAL HARASSMENT:** Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. The Board prohibits sexual harassment where such act is related to any school activity or school attendance. Guajome Schools ("Guajome") will take appropriate disciplinary action against all employees or pupils found to have engaged in sexual harassment.

Forms of sexual harassment include but are not limited to the following:

1. Verbal harassment such as derogatory comments, jokes, or slurs;
2. Physical harassment such as unnecessary, unwelcome or offensive touching, or impeding or blocking movement;
3. Visual harassment such as derogatory or offensive posters, cards, cartoons, graffiti, drawings, or gestures; and
4. Unwelcome sexual advances, requests, or demands for sexual favors, and other verbal or physical conduct of a sexual nature.

Any pupil wishing to make a complaint of sexual harassment should immediately report it to the appropriate Guajome official. A pupil making a complaint of sexual harassment shall not suffer any reprisal for doing so. Guajome will promptly and thoroughly investigate all complaints of sexual harassment and take immediate and appropriate action to resolve such complaints.

Copies of the complete Board Policy 5102 are available at school.

**STATEMENT OF NONDISCRIMINATION:** Guajome shall not discriminate on the basis of the characteristics listed in Education code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d) (1)]

**SCHOOL ACCOUNTABILITY REPORT CARD:** A copy of the school accountability report card is available upon request at Guajome.

**STUDENT DISCIPLINE:** Rules pertaining to student discipline, including those that govern suspension or expulsion, are available from administration. The rules are also communicated to all students every year.

**ALLOWED ABSENCES:** Notwithstanding Ed Code Section 48200, a pupil shall be excused from school when the absence is:

1. Personal illness;
2. Quarantine under the direction of a county or city health officer;
3. Medical, dental, optometric, or chiropractic appointments;
4. Attendance at funeral services for a member of the immediate family:
  - a. Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state.
  - b. "Immediate family" shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister or any relative living in the student's immediate household.

5. Jury duty in the manner provided by law;

6. Illness or medical appointment of a child for whom the student is the custodial parent.

In addition, a student's absence shall be excused for justifiable personal reasons. Advance written request by the parent/guardian and approval of administration shall be required for absences for:

1. Appearance in court;
2. Attendance at a funeral service;
3. Observation of a holiday or ceremony of his/her religion;
4. Attendance at religious retreats, exercises, or activities for no more than four hours during a semester (flexibility for additional time is allowed with prior approval from the CSS);
5. Attendance at an employment conference;
6. Attendance at an educational conference.

**UNEXCUSED ABSENCES:** Unexcused absences include but may not be limited to: absences that are not cleared, vacation, no ride, late getting up, car trouble, etc.

**TARDIES:** Students will be marked tardy or late depending on the time of arrival to class. A tardy is considered less than 30 minutes of instructional time missed and a late is over 30 minutes of instructional time missed which could result in a truancy. Tardies or lates must be cleared by the Attendance Office for only excused reasons such as personal, doctor appointment, dentist, etc. within 72 hours. A student with excessive tardies, unexcused absences, or trancies can jeopardize placement at Guajome by not meeting attendance expectations. Whole day or period absences that are not cleared will be recorded as trancies or unexcused absences. It is required to clear absences within 72 hours. Whole day or period absences that exceed ten (10) days requires a personal or medical excuse in order to be cleared.

**RELEASE OF STUDENTS DURING THE SCHOOL DAY:** Un-emancipated students under the age of 18 years shall not be released for confidential medical appointments without the consent of a parent or legal guardian.

**PUPILS WITH TEMPORARY DISABILITIES: INDIVIDUAL INSTRUCTION:** A pupil with a temporary disability, which makes attendance in the regular educational program impossible or inadvisable, shall receive individual instruction. The parent or guardian of a pupil with a temporary disability shall notify the school where the pupil is receiving care if an individualized instruction program is desired.

**PARENT TO ATTEND CHILD'S CLASSES:** If a teacher suspends a pupil, the teacher may require the child's parent to attend the child's classes. Employers may not discriminate against parents who are required to comply with this requirement.

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

**STRICT PROHIBITIONS AGAINST TOBACCO, ALCOHOL AND OTHER DRUG USE:** Any student found in possession or under the influence of alcohol and/or other drugs will be suspended for five (5) days and/or expelled. Any student found selling any controlled substance on or near any Guajome site will be suspended for five (5) days and recommended for expulsion (Board Policy 5103.1). Guajome has been designated as a tobacco-free site. Violations of this tobacco-free policy could result in suspension/expulsion.

**STUDENT SUSPENSION AND EXPULSION/BULLYING:** A student may be suspended or expelled when it is determined the student engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act directed specifically toward a pupil or school personnel. "Bullying" means one or more acts by a pupil or group of pupils including making terrorist threats against school officials and/or school property; committing sexual harassment; and causing, attempting to cause, threatening to cause, or participating in an act of hate violence.

An "electronic act" means the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

**STRICT PROHIBITIONS AGAINST WEAPONS AND VIOLENCE:** The following conduct is strictly prohibited for any pupil:

1. Possession, selling or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code section 11053 et.seq.
4. Committing or attempting to commit a sexual assault or sexual battery.
5. Possession of an explosive.

Any pupil found to be in violation of these offenses will be suspended for five days and recommended for expulsion (Board/Administrative Policy 5103.1).

**DRESS CODE/GANG APPAREL:** Guajome is authorized to limit gang related clothing or accessories based on a finding that such displays create a clear and present danger of substantial disruption of the orderly process of the school.

**DUTY CONCERNING CONDUCT OF A PUPIL:** Every teacher, administrator or any other school employee shall hold pupils to a strict account for their conduct on the way to and from school, on the school property or during breaks.

**ACCESS TO INTERNET AND ON-LINE SITES:** Parents are notified in writing that students will have access to the Internet. Parents will also receive written notice of the rules for Internet users. Students will be required to agree to and sign the Guajome Acceptable Computer and Internet Use Policy.

**USE OF PESTICIDES:** Guajome will inform parents or guardians about the use of pesticides on school grounds.

**NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS:** Federal and state laws grant certain rights of privacy and rights of access to students and to their parents. Full access to all personally identifiable written records maintained by Guajome must be granted to:

- (1) Parents of students age 17 and younger,
- (2) Parents of students age 18 and older if the student is a dependent for tax purposes,
- (3) Students of age 18 and older, or students who are enrolled in an institution of post-secondary instruction (called "eligible students").

Parents, or an eligible student, may review individual records by making a request to Guajome administration. The Guajome administrator will see that explanations and interpretations are provided if requested. Information that is alleged to be inaccurate, or inappropriate, may be removed upon request. In addition, parents, or eligible students may receive a copy of any information in the records at reasonable cost per page. When a student moves to a new district, records will be forwarded upon the request of the new school district. At the time of transfer the parent (or eligible student) may review, receive a copy (at a reasonable fee), and/or challenge the records.

If you believe the school is not in compliance with federal regulations regarding privacy, you may file a complaint with the United States Secretary of Education.

**DIRECTORY INFORMATION:** Guajome makes student directory information available in accordance with state and federal laws. This means that each student's name, birth date, birthplace, address, telephone number, parent/guardian names, course of study, participation in school activities, dates of attendance, awards, and previous school attendance may be released to certain requesting agencies or individual(s). Appropriate directory information may be provided to other public or private schools, colleges and universities, employers, prospective employers, or news-media. With the exception of the named agencies student directory information will not be released to other private or "for-profit" organizations.

Upon written request from the parent of a student age 17 or younger, or a student who is 18 or older, Guajome will withhold directory information about the student from agencies/individuals specified in the written request. Written requests must be submitted within 30 days of the receipt of this notification.

Pursuant to the federal No Child Left Behind Act signed into law in January 2002, schools are required to release student directory information, including name, address, and phone number to military recruiters in the same manner that they provide this information to other educational institutions.

Upon written request from the parent of a student age 17 or younger, or from a student of any age, Guajome will withhold directory information about the student from military recruiters. Written requests must be submitted within 30 days of the receipt of this notification.

**PHOTO/VIDEO RELEASE:** Assigned Guajome staff and/or vendor(s), or his/her legal representatives and assigns (including but not limited to), clients, publications and agencies, has irrevocable permission to publish in any manner, student's photos/videos in publications including (but not limited to) calendars, advertisements, periodicals, social media, and Guajome website. The Guajome staff and/or contracted vendor(s) and his/her legal assigns and representative, will be held harmless from any liability by virtue of distortion or alteration, unless it can be proven that such alterations and or distortions were done with malicious intent.

Upon written request from the parent of a student age 17 or younger, or from a student who is 18 or older, Guajome contracted staff and/or vendor(s) will not have permission as stated in the above referenced paragraph. Written requests must be submitted within 30 days of the receipt of this notification.

**PHYSICAL EXAMS:** A child may be exempt from physical examination whenever the parents file a written statement with administration stating that they will not consent to routine physical examination of their child. Whenever there is good reason to believe the child is suffering from a recognized contagious or infectious disease, the child will be excluded from school attendance.

**MEDICATION:** Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instruction from the physician and a parental request for assistance in administering the physician's instructions. The parent or legal guardian of any public school pupil on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other designated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may council with the 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.

**REDUCED PRICE LUNCHES:** Some pupils may be eligible for free or reduced price meals. Details are available from school.

#### **STUDENT EDUCATION PLACEMENT:**

- **IDENTIFICATION OF INDIVIDUALS WITH EXCEPTIONAL NEEDS:** Any parent suspecting a child has exceptional needs may request an assessment for eligibility for special education services through administration or other appropriate staff.
- **SPECIAL EDUCATION (IDEIA):** Free and appropriate education in the least restrictive environment will be offered to qualified disabled pupils.
  - **REHABILITATION ACT OF 1973 (§504):** It is the intent of Guajome to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate education services. Students may be disabled under Section 504 and thereby require program accommodation in order to receive an appropriate education even though they do not require services pursuant to the Individuals with Disabilities Education Act (IDEA). A student with a disability, under Section 504, is a student who has a physical or mental impairment, which substantially limits one or more major life activities. Major life activities include functions such as caring for ones' self, performing manual tasks, walking, seeing, speaking, breathing, learning and working.
- **ENGLISH LANGUAGE DEVELOPMENT:** All students who indicate that their home language is other than English will be "CELDT" (California English Language Development Test) tested within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31 until re-designated as fluent English proficient. Guajome will notify all parents of its responsibility for CELDT administration and of CELDT results within 30 days of receiving results from publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

**SPECIAL EDUCATION COMPLAINTS (5 CCR. SEC.3080. 4622):** State regulations require a district to establish procedures to deal with complaints regarding special education. If you believe that the district is in violation of federal or state law governing the identification or placement of special education students, or similar issues, you may file a written complaint with the district. State regulations require that the district forward your complaint to the State Superintendent of Public Instruction.

**UNIFORM COMPLAINT PROCEDURES (5 CCR 4622):** The Guajome uniform complaint procedure may be obtained through the Administration Office, at 2000 N. Santa Fe Avenue, Vista, California. The purpose of this procedure is to provide individuals with the opportunity to register concerns regarding any alleged violation of federal and/or state laws governing educational programs that include, but may not be limited to: Migrant Education, Vocational Education, Special Education, Child Nutritional programs, Child Care and Development programs, and any applicable categorical program.

**DUTIES OF PUPILS (5 CCR. SEC. 300):** Pupils are required to conform with school regulations; obey all directions; be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language.

**ASBESTOS (40 CFR 763.93):** The district has a plan for eliminating health risks at Guajome that are created by the presence of asbestos in school buildings. It may be reviewed in the maintenance department at the Vista Unified School District Office, located at 1234 Arcadia Avenue, Vista, CA.

**LASER POINTERS: PROHIBITIONS ON SALES, POSSESSION AND USE (PC §417.27):** Prohibits possession of a laser pointer by any student on any elementary or secondary school premise, unless possession is for valid instruction. Further prohibits directing the beam of a laser pointer into the eyes of another or into a moving vehicle or into the eyes of a guide dog.

**MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS:** Parents are notified (no later than one-month prior) of any scheduled minimum days or pupil-free staff development days.

**CHILD ABUSE AND NEGLECT REPORTING (AB1432):** Staff is required by law to report cases of child abuse and neglect to the appropriate law enforcement agency when they have a reasonable suspicion that a child has been a victim of child abuse and/or neglect. Reasonable suspicion does not require certainty that the child abuse and/or neglect has occurred. The reporting staff member's name and report are confidential.

**MEGAN'S LAW (Penal Code §290 et seq.):** Information about registered sex offenders in California and how to protect yourself and your family can be found at <http://meganslaw.ca.gov/>.

**SCHOOL SAFETY PLAN:** Guajome has developed and maintains an updated school safety plan. A copy of the plan is available to read during normal business/operating hours.

**SCHOOL ACCOUNTABILITY REPORT CARD:** The School Accountability Report Card ("SARC") is provides a variety of information about our school, school resources, successes, and areas where improvement is needed. The SARC is updated annually and can be found on the Guajome website [www.quajome.net](http://www.quajome.net). A paper copy will be provided upon request.

**EVERY STUDENT SUCCEEDS ACT: PARENTS' RIGHT TO KNOW:**

Your child is attending a school receiving Title I federal funds through the Elementary and Secondary Education Act ("ESEA"). At the beginning of each school year, local educational agencies receiving Title I funds are required to notify parents whose student(s) attend a Title I school that they may request and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum: 1.) Whether the student's teacher a.) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; b.) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and c.) is teaching in the field of discipline of the certification of the teacher. 2.) Whether the child is provided services by paraprofessionals and, if so, their qualifications. Contact the office of the Charter School Superintendent if you would like information.