



San Mateo Union High School District  
650 North Delaware Street - San Mateo, CA 94401

## Notification of Parent/Guardian Annual Rights and Responsibilities 2024-25

The San Mateo Union High School District hereby provides the annual notification of the rights and responsibilities of the parent/guardian. State and federal law requires that parents be notified of their rights and responsibilities in certain matters pertaining to their children's education. Copies of all procedures described in this notification are available free of charge. If you wish further information on these or any other subjects, please contact the Principal at your student's school or the District Office.

### Interpreter Service

The Student Services Office provides on-site interpreting services for Spanish and Chinese (Mandarin) speakers. Limited English Proficient ("LEP") parent/guardians speaking languages other than Spanish and Mandarin Chinese will be provided language assistance services by the Student Services Office. Please contact: Don Scatena, Director of Student Services, at [enrollment@smuhdsd.org](mailto:enrollment@smuhdsd.org) if you need assistance regarding enrollment and school assignment matters.

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## I. School Safety and Discipline

### Responding to and Reporting Bullying, Hazing and Hate Incidents and Crimes

The San Mateo Union High School District (District) is committed to providing a safe learning and working environment that is free from discrimination and harassment. The District denounces bullying, hazing, hate incidents or any behavior that infringes on the safety or well-being of students, employees, or any person within the District's jurisdiction without regard to intent.

The District's Policy Bulletin on Responding to and Reporting Bullying, Hazing and Hate Incidents and Crimes can be found on the District's [website](#) and is aligned with [the District's Board Policy 5145.9 on Hate-Motivated Behavior](#).

### Reporting Safety Concerns

StopIt, the District's [anonymous reporting system](#), is available for students, parents/guardians, and staff to report all safety concerns, including hate-related incidents. Reports may be made anonymously.

For more information, the District's Policy Bulletin on Responding to and Reporting Hate-Motivated Incidents and Crimes can be found [online](#). The District's Board Policy on Hate Motivated Behavior can be found [online](#). These documents will also be made available in other languages, upon request.

### **Notice of Internet Policy**

[Board Policy 6163.4 Student Use of Technology](#), regarding access to Internet and online sites is included in [Section X](#) of this document.

### **Monitoring of District Issued Devices and Accounts for Student Safety**

Digital safety is critically important to SMUHSD, which is why we use Bark for Schools to help us protect our students both online and in real life while using our school-issued accounts. Bark monitors for signs of potential issues like: cyberbullying, suicidal ideation, sexual predators, threats of violence, and more. When possible dangers arise on school-issued accounts, Bark for Schools sends SMUHSD alerts so we can address the situation in a timely manner. These alerts also give us insights that help us promote the wellness of the entire student body. We strive to help keep our students safe online. For more information please visit Bark for Schools (<https://www.bark.us/schools>) or contact the Director of Student Services, Don Scatena ([dscatena@smuhsd.org](mailto:dscatena@smuhsd.org)).

### **Information Gathered from Student Social Media**

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 - Student Records. Students and their parents/guardians are entitled to access and challenge the veracity of such information. The student or student's parent/guardian may request the removal of information or make corrections to information gathered or maintained from social media.

To access this information, please contact:

District Technology Support Group  
650 N. Delaware Street, San Mateo  
phone: 650-558-2489 or email [info@smuhsd.org](mailto:info@smuhsd.org)

Information gathered from social media sources must be destroyed within one year of the student turning 18, or from the student's departure from the school district, whichever occurs first.

### **Student Discipline**

A written explanation of disciplinary procedures, which describes both student rights and responsibilities, is available at each campus for you to read. Student discipline can result in intervention at the school site, suspension, formal reprimand, and/or expulsion. (Ed. Code § 35291.)

### **No Smoking Rule**

In accord with Education Code 48900(h) Board Policy 3513.3 prohibits the use of tobacco products by anyone, anywhere on school property, and at any off-campus school-sponsored event.

### **Parent's Required Attendance**

Parents or guardians may be required to attend their student's class if they are suspended for unruly or disruptive conduct. (Ed. Code §§ 48900.1 and 48914.)

### **Grounds for Suspension or Expulsion; Legislative Intent**

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivision (a) to (r), inclusive. (Ed. Code § 48900.)

### **Additional Grounds for Suspension and Expulsion**

A pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the

pupil has intentionally engaged in harassment, threats, or intimidation directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment. (Ed. Code § 48900.4.)

### **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. (34 CFR §§ 99.7 and 99.34 (a)(ii).)

### **All Campuses Are Closed Campuses**

Students who leave campus without permission are subject to disciplinary procedures. Once students arrive at school they must remain on campus (including brunch and lunch) until the end of the school day, unless they have provided to school authorities permission to leave, for a specific purpose – prior to leaving. (Board Policy 5112.5.)

### **Deadline for Comprehensive School Safety Plan**

Each school is required to report each July on the status of its school safety plan, including a description of its key elements in the annual School Accountability Report Card prepared pursuant to Sections 33216 and 35256. A mandatory component of the school safety plan is a discrimination and harassment policy. (Ed. Code § 32286.)

### **School Safety Plan: Notice to Specified Persons and Entities**

Before adopting its comprehensive school safety plan, each school site council or school safety planning committee is required to hold a public meeting to allow members of the public the opportunity to express an opinion about the school plan. Added to this requirement is the provision that each school site council or school safety planning committee shall notify, in writing specified persons and entities including: the local mayor; a representative of the local school employee organization; representatives of parent organizations including the parent teacher organization at the school site; a representative of the student body government; and all other persons that have indicated they wanted to be notified. (Ed. Code § 32288.)

### **Video Surveillance**

Video surveillance cameras have been installed on school grounds and buildings to promote a safe school environment for students, staff, and visitors. Video cameras have not been placed in areas where there is a reasonable expectation of privacy or in classrooms unless the teacher has consented to the placement of the camera in his/her classroom. Video surveillance footage will not be actively monitored and will be viewed by authorized District personnel only when necessary. Recordings may be used in disciplinary proceedings and matters captured by the camera may be referred to local law enforcement, as appropriate. The video surveillance cameras will not record audio or other sound(s). (Board Policy 3515.)

### **Disaster Preparedness Educational Materials**

Disaster Preparedness Educational Materials requires the California Department of Education to electronically distribute disaster preparedness educational materials to school districts. (Ed. Code § 32282.5.)

### **Firearm Safety and Safe Storage of Firearms Information**

Beginning with the 2023-2024 school year, school districts are required to include information in their Annual Notices related to the safe storage of firearms and California's child access prevention laws, which establish liability for parents and guardians who should have known that their child could gain access to a firearm at home. The information included in the Annual Notice must be informed by model content developed by the California Department of Education (CDE), which will be updated annually. (Ed. Code §§ 49391, 49392, and 48986.) This information is included in [section X](#) of this notification and also is [posted on our website](#).

## II. Residency / Attendance

### **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.

### **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 his or her parent or guardian leaving the state against his or her will, and the student lived in California immediately before moving outside the state. The student must provide evidence of enrollment in a California public school immediately before moving outside the state.

Deported parents may designate another adult to attend school meetings and to serve as an emergency contact. No charges or fees of any kind, 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. (Ed. Code § 48204.4.).

### **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>.

### **Enrollment – Student Residency/Attendance Options**

A student may be enrolled in the District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the District (Ed. Code § 48200); (2) the student is placed in a regularly established children's institution, licensed foster home, or family home; (3) they are an emancipated student who lives within the District; (4) the student lives in the home of an adult who has submitted a caregiver affidavit; or (5) the student resides in a state hospital within the District. (Ed. Code § 48204.) The law allows, but does not require, a district to accept a student for enrollment where one or both of the student's parents or legal guardian is physically employed within the District's boundaries for at least 10 hours per school week. (Ed. Code § 48204.) The District approves interdistrict and intradistrict transfer requests for the students of District employees who work at least half time. (AR 5111.12) All districts must inform parents/guardians at the beginning of the school year how to enroll in a school within the district that is different than the one assigned.

Students who attend schools other than those assigned by the district are referred to as “transfer students” throughout this notification. There is one process for choosing a school within the District which the parent/guardian lives (intradistrict transfer), and three separate processes for selecting schools in other districts (interdistrict transfer.) (Ed. Code § 48980 (h).) The District’s Policies for [interdistrict](#) and [intradistrict](#) enrollment are available online. Parents/guardians interested in interdistrict or intradistrict transfers should contact Student Services located at 650 N. Delaware Street, San Mateo, CA 94401. The general requirements and limitations of each process are described as follows:

### **Choosing a School Within the District in Which Parent Lives**

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

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

### **Choosing a School Outside District in Which Parent Lives**

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

- Districts of Choice** (Ed. Code, § 48300–48315): The law allows, but does not require, each school district to become a “district of choice”—that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. *Please be advised that the San Mateo Union High School District is **not** a ‘district of choice’ and does not accept interdistrict transfers under this provision.*
- “Allen Bill” Transfers** (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which his/her parents (or legal guardian(s)) physically work at least 10 hours per school week if that is different from the school district in which the student resides. *Please be advised that the San Mateo Union High School District does **not** accept interdistrict transfers under this provision.*
- Enrollment Based on Parent and Student Living at Parent’s Place of Employment for a Minimum of 3 Days During the School Week:** Parents/guardians may apply for the enrollment of their child in a school district in which the parent/guardian is employed, and where the parent and child live at the parent/guardian’s place of employment for a minimum of 3 days during the school week. (Ed. Code § 48204(a)(7).)



## Interdistrict Transfer

The law allows two or more districts to enter into an agreement for a period of up to five years for the transfer of one or more students. Once a student is enrolled pursuant to an interdistrict transfer, the student shall not have to reapply for an interdistrict transfer unless the district of resident and district of attendance require reapplication. The agreement must specify the terms and conditions under which transfers are permitted. There are no statutory limitations on the kinds of terms and conditions districts are allowed to place on transfers. Districts may not rescind existing transfer permits for students preparing to enter grades 11 or 12. The law on interdistrict transfers also provides for the following:

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

The [Interdistrict](#) and [Intradistrict Transfers](#) Administrative Regulations are available online.

Parents/guardians interested in more information on the interdistrict or intradistrict transfers process should contact Student Services at the District Office: 650-558-2259. (Education Code §§ 46600-46611.)

## 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. (Education Code § 46600.)

## Children in Homeless Situations

Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. Please contact the Director of Student Services at 650-558-2257 for additional information regarding educational services for children in homeless situations. (42 U.S.C. § 11432 (g) (I) (J)(ii), (g)(6).)

## Educational Rights of High Mobility High School Students When Changing Schools After Their Second Year of High School

High school "high mobility" students, which include students in foster care, homeless, recent immigrants, migrant students, former juvenile court school pupils, and students from military families, have the following rights when transferring to a new school after their second year of high school:

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

The consultation must also include a discussion of how remaining for a fifth year of high school or accepting an exemption from the local graduation coursework requirements may potentially impact the student's vocational plans or ability to gain admission to college, and also take into consideration

the student's academic record and any other information relevant to making an informed decision. (Ed. Code, § 51225.1, subd. (b)(1), (2), and (3) and subd. (f)(1)-(3).)

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

### **Notice of Alternative Schools**

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

- a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- b) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- d) Maximize the opportunity for teachers, a parent/guardian, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- e) Maximize the opportunity for the students, teachers, and a parent/guardian to continuously react to the changing world, including, but not limited to, the community in which the school is located.

In the event any parent/guardian, student, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this District, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the Governing Board of the District to establish alternative school programs in each District. (Ed. Code § 58501.)

### **Children of Military Service Members – Residency**

A student complies with a school district's residency requirements for school attendance if the student's parent/guardian 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/guardian 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).)

## **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 his/her school of origin. If the student is transitioning to middle school or high school, and the school designated for matriculation is in another school district, the local educational agency must allow the student to continue to the school designated for matriculation in that school district. The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or if the student is unable to produce clothing or records normally required for enrollment.

If the parent/guardian's military service ends during the school year, then the student is allowed to stay in his/her school of origin for the remainder of the school year if s/he is in grades 1-8, or through graduation if the student is in high school. (Ed. Code § 48204.6.)

## **Confidential Medical Services**

For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of student's parent or guardian. (Ed. Code § 46010.1.)

## **Excused Absences**

No pupil may have his or her grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified below when missed assignments and test that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code §§ 48205 and 48980(j).)

- a. Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
1. Due to his/her illness, including an absence for the benefit of the pupil's mental or behavioral health.
  2. Due to quarantine under the direction of a county or city health officer.
  3. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
  4. For the purpose of attending the funeral service or grieving the death of either a member of his/her immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.
  5. For the purpose of jury duty in the manner provided for by law.
  6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
  7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his/her religion, attendance at religious retreats, or 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 has been requested in writing by the parent or guardian and approved by the Principal or a designated representative pursuant to uniform standards established by the Governing Board.
  8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Election Code.
  9. 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.
  10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
  11. For the purpose of participating in a cultural ceremony or event.



12. (A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.
- (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one 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.
13. (A) For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died, so long as the absence is not more than three days per incident.
- (i) To access services from a victim services organization or agency.
- (ii) To access grief support services.
- (iii) To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.
- (B) Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.
14. 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, and not have his or her grade reduced. The teacher of any class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- c. For purposes of this section, attendance at religious retreats shall not exceed one school day per semester.
- d. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- e. (e) For purposes of this section, the following definitions apply:
- (1) A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
- (2) "Immediate family" as used in this section means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
- (3) "Cultural" as used in this section means relating to the habits, practices, beliefs, and traditions of a certain group of people.
- (4) "Victim services organization or agency" has the same meaning as defined in paragraph (7) of subdivision (g) of Section 230.1 of the Labor Code.

### **Absence for Religious Exercises and Instruction**

Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. Such absences may not exceed four days per school month. (Ed. Code § 46014.)

## **III. Instruction and Testing**

### **Comprehensive Sexual Health Education and HIV/AIDS Prevention**

A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV/AIDS prevention education, and assessments related to that education, as follows:

A parent/guardian may request in writing that his/her child be excused from participating in HIV/AIDS prevention or sexual health education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51939)

Parents or guardians may inspect the written and audio visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them with a copy of Ed. Code section 51938.

Every pupil's parent or guardian will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified. Parents and guardians have a right to request that the District provide them with a copy of Education Code sections 51933 and 51935.

### **Student Surveys, Tests and Questionnaires Regarding Sexual Attitudes and Practices**

Under state law, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behavior and risks, including tests, questionnaires and surveys containing age-appropriate questions about the student's attitudes concerning, or practices related to, sex may be administered to students in grades 7-12. Parents and guardians will be notified in writing that such a test, questionnaire or survey is to be administered and given an opportunity to review the test, questionnaire or survey and be informed that in order to excuse their child, they must state their request in writing. 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.)

### **Excusal from Instruction in Health**

Upon written request of a parent/guardian, a student shall be excused from any part of health instruction that conflicts with his/her religious training or beliefs (including personal moral convictions.) (Ed. Code § 51240.)

### **Dissection of Animals**

If a student has a moral objection to dissecting (or otherwise harming or destroying) animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil's parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternative education project or test for the purpose of providing the pupil an alternative avenue for obtaining the knowledge, information or experience required by the course of study. (Ed. Code §§ 32255 – 32255.6.)

## **U.S. Department of Education Program**

The following applies **only** to programs directly funded by the U.S. Department of Education.

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the children.

No student shall be required, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an un-emancipated minor, without the prior written consent of the parent/guardian, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

- a) political affiliations;
- b) mental and psychological problems potentially embarrassing to the student or his family;
- c) sex behavior and attitudes;
- d) illegal, anti-social, self-incriminating and demeaning behavior;
- e) critical appraisals of other individuals with whom respondents have close family relationships;
- f) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g) religious practices, affiliations, or beliefs of the student or student's parent; or
- h) income (other than that required by law to determine eligibility for participation in a program or for financial assistance under such program)

## **Classroom Recording by Students for Instructional Purposes**

Instruction in District classrooms may be recorded for the purpose of instructional note-taking by one or more students who have received prior consent from the teacher of the class and the principal of the school. No confidential personally identifiable information will be included in any recording intended for classroom use by students.

If you have any questions or concerns regarding the use of recordings or their impact on the educational environment, we encourage you to reach out to us. Your input is valuable, and we are committed to fostering an inclusive and supportive learning environment for all students. Please contact the District's Director of Special Education, Dr. Rochelle Hooks at [rhooks@smuhdsd.org](mailto:rhooks@smuhdsd.org) or 650-558-2264 with any questions or concerns.

## **Review of Curriculum**

A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by a public school, shall be compiled at least once annually in a prospectus. Each school site shall make its prospectus available for review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code §§ 49063 and 49091.14.)

## **English Language Development (ELD)**

The parent/guardian of all potential multilingual learners (MLs) shall be notified in writing about program options for MLs. They will also be notified regarding their right to visit the program/classes, their right to request a withdrawal from the program, their option to request a waiver, and their right to participate in the school and district multilingual learner committees. (Ed. Code 52173.) In California public schools, all students entering school for the first time will be assessed with the Initial English Language Proficiency Assessments for California, or "Initial ELPAC," if their home language is not English. Students who have not been previously determined to be multilingual learners by another district, whose family reports an additional language to English, will be assessed with the initial ELPAC to determine if the student is an English Learner. A parent/guardian with questions about programs for multilingual learners should contact the district's administrator of Multilingual Learner Programs.

## **Multilingual Learners**

Federal law requires prior notice be given to parents/guardians of limited English Learners regarding English Language Development proficiency programs, including the reasons for the identification of the student as a multilingual learner, the need for placement in a language instruction educational program, the student's level of English proficiency, how such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs, parent options for programs that will meet the student's needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for limited English proficient students. (20 USC § 6312.)

## **Available Language Programs and Language Acquisition Programs**

Please see the below Annual Notice of All Language Programs, which lists the District's programs for English Learners and the World Language courses offered, how to enroll your child in an English Language Acquisition Program, and how to request the establishment of a new English Language Acquisition Program. (Ed. Code § 310.)

The San Mateo Union High School District is required by law to share the following information about available language programs and language acquisition programs with our families.

## **Available Language Programs and Language Acquisition Programs**

San Mateo Union High School District offers the following language and language acquisition programs for student enrollment. Parents/Guardians may choose a language acquisition program that best suits their child (*EC* Section 310[a]).

- **Structured English Immersion (SEI) Program:** A language acquisition program for Multilingual Learners (MLs) to develop proficiency in English and mastery of all grade-level core curriculum standards. All MLs receive designated ELD during a protected period. Access to core content is accomplished through instructional strategies that enable English Learners to access grade-level subject matter in all academic subjects. *Education Code (EC)* sections 305(a)(2) and 306(c)(3).
- **Newcomer Program:** An optional program that supports Multilingual Learners who have been in the United States for 3 years or less and are at emerging levels of English proficiency. Students receive designated and integrated ELD, plus content courses that provide additional language development support.
- **World Language:** Programs are offered in five different languages: Chinese (Mandarin), French, Italian, Japanese, and Spanish.

## **How to Enroll Your Child in a Language Acquisition Program:**

Students are assigned to their neighborhood school based on attendance zones (Board Policy 5116). If a student is eligible for the Newcomer Program, a Multilingual Learner Program staff will notify the family and student of their options and record the decision on the program of choice.

## **How to Request the Establishment of a New Program at a School**

Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (*EC* Section 310[a]).

Submit a verbal or written request to the office at your local school.

Within 10 days of reaching the threshold, the district will notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program.

Within 60 calendar days of reaching the threshold number of parents/guardians described, the district will determine whether it is possible to implement the requested language acquisition program and provide written

notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators.

### About Language Acquisition Programs and Language Programs

Program Type	Characteristics
<b>Language Acquisition Program (English Learners)</b>	<p><b>The California Code of Regulations section 11309 requires that any language acquisition program provided by a school, district, or county shall:</b></p> <ul style="list-style-type: none"> <li>• Be designed using evidence-based research and include both Designated and Integrated English Language Development;</li> <li>• Be allocated sufficient resources by the local educational agency (LEA) to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and</li> <li>• Within a reasonable period of time, lead to:               <ul style="list-style-type: none"> <li>○ Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and</li> <li>○ Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state-adopted academic content standards in that other language.</li> </ul> </li> </ul>
<b>Language Program (non-English Learners)</b>	<ul style="list-style-type: none"> <li>• Language programs offer students who are not English learners opportunities to be instructed in languages other than English</li> <li>• May lead to proficiency in languages other than English</li> </ul>

### Parent and Community Engagement

Parents may provide input regarding language and language acquisition programs in the LEA or to be considered in the LEA during the development of the Local Control and Accountability Plan (EC Section 52062.) If interested in a different program from those listed above, please contact your school site administrator to ask about the process.

If you have any questions, please contact the Multilingual Learner Specialist at your student's school.

### Individual Student Reports on Statewide Assessments

Upon request, parents/guardians have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

### Exemption from California Assessment of Student Performance and Progress (CAASPP)

Each year, parents and guardians will be notified regarding their student's participation in the CAASPP assessment system. Parents and guardians wanting to excuse their child 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. (Ed. Code §§ 60615, 60604, 60640 and 5 CCR 852.)

### Temporary Disability / Individual Instruction

A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction either: (1) at home provided by the school district in which the student resides; or (2) in a hospital or other residential health facility, excluding state hospitals, provided by the school district in which the hospital or residential health facility is located.

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

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

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

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

Students enrolled in individual instruction in a hospital or other residential health facility for a partial week, are entitled to attend school in 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).)

### **Eligibility for Co-curricular and Extracurricular Programs**

Every high school student who wishes to participate in the District’s athletic and extracurricular programs must meet all of the qualification standards listed. (Board Policy 6145)

1. Must achieve a minimum unweighted grade point average of 2.0 in all enrolled courses during the previous grading period (first six weeks, second six weeks, and final semester grades).
2. Must be receiving 25 semester credits during the previous grading period. (This is the District’s minimum standard for “satisfactory educational progress.”)
3. Cannot be receiving more than one grade of F during the previous grading period.
4. In the event a student is determined to be academically ineligible to participate in co-curricular or extra-curricular activities during the first grading period of the upcoming school year, the student may attend summer school and petition to have the grades earned during the intervening summer session substituted for the grades received during the previous grading period. In those cases where the course is retaken during the summer school, the higher grade will be substituted for the lower grade and the grade point average will be recalculated to determine the student’s eligibility for the first grading period of the upcoming school year.
5. There will be no probationary period for any student who fails to meet the District’s minimum eligibility standards.

### **Notice of Pending Course Failure**

Parents and guardians will be notified when a teacher has determined that student is in danger of failing a course. (Ed. Code §§ 49063 and 49067.)



## Rights to Receive Teacher Information

Upon request, parents/guardians have a right to request information regarding the professional qualifications of the classroom teachers who instruct their student. Federal law allows you to request the following information: 1) If their student's teacher has met the state credential or license criteria for grade level and subject matter taught; 2) If their student's teacher is teaching under an emergency or other provisional status because of special circumstances; 3) The baccalaureate degree major of the teacher and any other graduate certification or degree held and the field of discipline of the certification or degree; and 4) If their student is receiving services from instructional aides and paraprofessional, if so, their qualifications. If you would like to receive this information, contact the Curriculum Services Office at 650-558-2248. Districts shall also notify parents/guardians if their student has been assigned to or has been taught for 4 or more consecutive weeks by a teacher who is not highly qualified.

## College Admission Requirements and Higher Education Information

University of California/California State University Minimum College Admissions Requirements:

"A-G" Courses	Subject	CSU/UC Requirements
<b>A</b>	History/Social Science	2 years required
<b>B</b>	English	4 years required
<b>C</b>	Mathematics	3 years required (e.g. Algebra, Geometry), 4 years recommended
<b>D</b>	Laboratory Science	2 years required (Biology, Chemistry, and Physics), 3 years recommended
<b>E</b>	Language Other Than English	2 years required, 3 years recommended
<b>F</b>	Visual and Performing Arts (VPA)	1 year required
<b>G</b>	College-Preparatory Electives	1 year required

To learn more about college admission requirements, and for a list of District courses that have been certified by the University of California as satisfying the requirements for admission to the UC and CSU, please refer to: <http://doorways.ucop.edu> list. To learn more about the University of California's A-G Requirements, visit <https://admission.universityofcalifornia.edu/admission-requirements/freshman-requirements/subject-requirement-a-g.html>

Career and Technical Education (CTE) is offered by the District to help students explore possible careers and gain essential career-readiness skills. In Career and Technical Education courses, students gain real-world experience through hands-on projects that combine rigorous academics with industry-specific technical skills. The curriculum integrates work-based learning opportunities such as guest speakers, field trips, and job shadowing to expose students to a variety of career options. Through projects developed with industry partners, students gain the communication, collaboration, critical thinking and problem-solving skills that will help them succeed in the modern workplace.

SMUHSD offers multi-year CTE pathways in a wide range of industry sectors. These pathways prepare students for postsecondary education and entry into a career. Some of our CTE courses allow students to earn community college credit that is transferrable to CSU/UC. To learn more about the District's career technical education classes, please visit the District's website at <https://www.smuhsd.org/cte>

Students are encouraged to meet with school counselors to help them choose courses at their school that will meet college admission requirements or enroll in career technical education courses, or both. Please contact the Assistant Principal of Instruction at your school.

## **California College Guidance Initiative Data Sharing (Education Code section 60900.5(d).)**

The California College Guidance Initiative (CCGI) works with California school districts to make applying for college and student financial aid a more streamlined experience for students. The CCGI currently receives enrollment data for all public school students in grades 6-12 from the California Department of Education (CDE). For more information about the CCGI, visit their website at <https://www.californiacolleges.edu/#/>.

Student transcript information may be shared with the CCGI in order to do both of the following:

- (a) Provide students and their families with direct access to online tools and resources for college and career planning.
- (b) Enable a student to transmit information shared with the CCGI to both of the following:
  - (i) Institutions of higher education for purposes of admissions and academic placement.
  - (ii) The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

(Education Code sections 60900 (f)(3)(A) and 60900.5(f).)

## **IV. Student Records**

### **Inspection of Student Records**

State law requires that the District notify parents/guardians of the following rights which pertain to student records. (Ed. Code, §§ 49063, 49069, 34 C.F.R. § 99.7)

- a) A parent or guardian has the right to inspect and review student records relating directly to his or her child during school hours or obtain a copy of such records within five (5) business days of his/her request.
- b) Any parent/guardian who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records.
- c) A parent/guardian with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent/guardian may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

The parent/guardian may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

1. Inaccurate.
2. An unsubstantiated personal conclusion or inference.
3. A conclusion or inference outside of the observer's area of competence.
4. Not based on the personal observation of a named person with the time and place of the observation.
5. Misleading.
6. In violation of the privacy or other rights of the pupil.

Within thirty (30) days, the Superintendent shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent/guardian may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the

written records of the student. (Ed. Code § 49070)

If the final decision of the Board is unfavorable to the parents/guardians, or if the parent/guardian accepts an unfavorable decision by the District Superintendent, the parent/guardian shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

- d) A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. Student Record Logs are located at each school and are open to inspection by parents or guardians. (Ed. Code, § 49064)
- e) School officers or employees having a legitimate educational interest may access student records without first obtaining parental or guardian's consent. "School officers and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel), a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist), or a parent/guardian 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. A "legitimate educational interest" is one held by a school officer or employee whose duties and responsibilities create a reasonable need for access. (Ed. Code, §§ 49063(d), 49076)
- f) Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.
- g) Parents and guardians will be charged .02 cents per page for the reproduction of student records.
- h) Parents/guardians have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232g)
- i) Parents/guardians may obtain a copy of the District's complete student records policy by contacting the Superintendent.

### **Family Educational Rights and Privacy Act (FERPA)**

In addition, parents/guardians have certain rights regarding student information and records which are guaranteed under federal law. A handout notifying parents/guardians of these rights is attached.

### **Directory Information**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that San Mateo Union High School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your student's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the district to include this type of information from your student's education records in certain school and/or district publications. Examples include:

- A playbill, showing your student's role in a drama production
- The annual yearbook
- Honor roll or other recognition lists
- Graduation programs

- Sports activity sheets, such as for wrestling, showing weight and height of team members

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with students' names, addresses, and telephone listings, unless parents/guardians have advised the District that they do not want their student's information disclosed without their prior written consent. If you do not want the District to disclose directory information from your student's education records without your prior written consent; you must notify the District in writing by emailing [enrollment@smuhsd.org](mailto:enrollment@smuhsd.org) by August 12, 2024. The District has designated the following information as directory information:

- Student's name
- Address
- Telephone number
- Email address
- Date of birth
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of athletic team members
- Dates of attendance
- Degrees and awards received
- Most recent previous school attended

The District also may disclose your student's student identification number, user identification, or other unique personal identifier used to communicate in electronic systems, provided it cannot be used to access education records without a personal identification number (PIN), password, or other factor that only the authorized user knows. Your student's social security number will not be used for this purpose.

### **Homeless Students/Release of Directory Information**

Written consent of the parent/guardian 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.)

### **Military Recruiter Information**

Federal law and Education Code section 49073.5 require that school districts disclose the names, addresses and telephone numbers of high school students to military recruiters upon request, unless parents/guardians request that this information not be released without prior written consent. Parents/guardians have the option of making such a request. If parents/guardians do not wish this information to be provided to military recruiters, they must notify the District Office in fact in writing. The Military Recruiters information request, is part of the annual online enrollment process (the Aeries Parent Portal).

## **V. Health, Wellness and Mental Health Services**

### **Student Health Services**

Student health services are available through the District by contacting:

Sara Devaney, Health Services Manager  
650 North Delaware Street, San Mateo, CA 94401  
Phone: 650-558-2222 or email: [sdevaney@smuhsd.org](mailto:sdevaney@smuhsd.org)

## Student Mental Health Services

Student mental health services are available through the District by contacting:

April Torres, Manager of Mental Health Services  
650 North Delaware Street, San Mateo, CA 94401  
Phone: 650-558-2273 or email: [atorres@smuhdsd.org](mailto:atorres@smuhdsd.org)

Other resources include:

- National Suicide Prevention Lifeline: 1-800-273-8255 or 988
- Crisis Text Line: 741741 – text “HOME”
- StarVista Crisis Hotline: 650-579-0350
- Care Solace 888-515-0350 or [www.caresolace.com/smuhsdfamilies](http://www.caresolace.com/smuhsdfamilies)
- SMUHSD StopIt Anonymous Reporting: [www.smuhsd.org/stopit](http://www.smuhsd.org/stopit)
- National Domestic Violence Hotline: 1-800-799-7233 or [www.thehotline.org/](http://www.thehotline.org/)
- In Case of Emergency Dial 911

## Administration of Medication at School

Medication prescribed or ordered by a physician/health care provider for a student may be administered during the school day by a registered nurse, the or other designated school personnel, or be self-administered by the student, if the parent/guardian consents in writing and provides detailed written authorization and instructions from a physician/health care provider (MD [medical doctor], NP [nurse practitioner], PA [physician assistant], or DO [doctor of osteopathic medicine]). **This includes ANY medication, including “over the counter” medication available without a prescription from a health care provider.** All authorizations for medications are required to clearly state the name and nature of the medication, the method of administration, the amount/dosage, the time of administration, and provide a release of information for the Student Health Services Manager or other designated personnel to consult with the student’s physician/health care provider regarding any questions that may arise with regard to the medication. Authorizations for students to self-medicate must also confirm (by parent/guardian and physician/health care provider) that the student is able to self-medicate and release the School District and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication pursuant to this law. Medication authorizations are required at least annually and more frequently if the medication, dosage, frequency of medication, or reason for administration changes. (CCR, Title 5, § 605, & Ed Code §§ 49423, 49423.1, 49423.5) [The Authorization for Medication\(s\) to be Taken During School Hours form](#) is available in the school Health Office, on the Aeries Parent Portal, and in the “Health” section of the District website (<https://www.smuhsd.org/programs/student-health/health-forms>). If your student requires medication during the school day, please return the completed form to the school Health Office by the first day of school.

## Students on Medication

Parents/guardians are to notify the school if their student is on a continuing medication regimen. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician/health care provider. With parental consent, the Health Services Manager or other designated personnel may confer with the physician/health care provider regarding possible effects of the drug (including symptoms of adverse side effects, omission, overdose, or altered behavior) and counsel with school personnel as deemed appropriate. (Ed. Code § 49480.)

## Anti-Seizure Medication

Parents of a student diagnosed with seizures, a seizure disorder, or epilepsy who has been prescribed an emergency anti-seizure medication may request that their student’s school have one or more of its employees receive voluntary training in the administration of the medication. Upon receipt of the parent’s request, the school district must notify the parent that his or her child may qualify for an individualized education program or a Section 504 plan.

Parents must provide a seizure action plan pursuant to Ed. Code section 49468.3 before an emergency anti-

seizure medication or therapy treatment may be administered. (Ed. Code § 49468 et seq.)

### **Condom Availability Program (CAP)**

As part of a comprehensive effort to prevent HIV infection (Human Immunodeficiency Virus), the cause of AIDS (Acquired Immunodeficiency Syndrome), other STIs (Sexually Transmitted Infections), and pregnancy, students at all SMUHSD schools may obtain condoms at their school sites with support and consultation available from trained staff and health care professionals by referral. Verbal and/or written information shall be available to all students which stresses that abstinence is the only 100% effective method of preventing pregnancy and sexually transmitted infections and which does not condone or in any way encourages sexual activity among or with minors. The San Mateo County Office of Education recommends the [Availability of Condoms for San Mateo County Youth](#).

### **Emergency Treatment of Anaphylaxis**

Pursuant to California Education Code (EDC) section 49414, the District will provide emergency epinephrine auto-injectors to the Student Health Coordinator, Health Aides, and trained volunteers who may use epinephrine auto-injectors to provide emergency medical aid to students/persons suffering, or reasonably believed to be suffering, from anaphylaxis (severe and potentially life-threatening allergic reaction), regardless of known history.

### **Immunizations**

The District shall exclude from school any pupil who has not been immunized properly and will notify the parent/guardian that s/he has two weeks to supply evidence that the student is immunized. Some exceptions are allowed for medical reasons (licensed physician, MD or DO, written statement required) or for students classified as homeless. January 1, 2016 was the deadline for parents to exempt their children from required immunizations based on their religious or personal beliefs. Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016 are exempt from the immunization requirement until they complete the "grade span" they were in as of January 1, 2016. Grade spans are defined as: (1) birth through preschool, (2) Kindergarten through 6th grade, and (3) 7th through 12th grade. Students entering the District for the first time after January 1, 2016 are no longer exempt from immunizations based on religious or personal beliefs. Students who have a medical exemption issued before December 31, 2020 will be allowed continued enrollment until they enroll in the next grade span. As of January 1, 2021, the District will only accept medical exemptions submitted on the California Department of Public Health's standardized, statewide medical exemption certification form, which the student's licensed physician or surgeon must complete and submit directly to the California Immunization Registry. (Health & Safety Code section 120372(a).)

Pursuant to Health & Safety Code section 120325, a parent may consent in writing for a physician, surgeon, registered nurse acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. The District shall cooperate with local health authorities in the control of communicable disease and immunizations. (Ed. Code §§ 48216, 48980(a), 49403). **Students will not be admitted to classes without an immunization record meeting state documentation requirements or an exemption document on file in the Health Office.** Information regarding important immunizations available for adolescents, including Tdap (tetanus-diphtheria-acellular pertussis), meningococcal, HPV, and others, are available in the Health Office or from the Student Health Coordinator upon request.

### **Cancer Prevention Act / Human Papillomavirus (HPV) Immunization**

HPV, or human papillomavirus, is a common virus that can cause cancers later in life. California law requires that students be advised to adhere to current immunization guidelines, as recommended by the Advisory Committee on Immunization Practices (ACIP) of the federal Centers for Disease Control and Prevention (CDC), the American Academy of Pediatrics, and the American Academy of Family Physicians, regarding full human papillomavirus (HPV) immunization before admission or advancement to the eighth grade level of any private or public elementary or secondary school.

AB 659 recommends students entering the 8th grade be fully vaccinated against HPV, with students and their parent or guardians receiving a notification of the requirement when they enter the 6th grade.



Per the CDC, **children ages 11–12 years should get two doses of HPV vaccine, given 6 to 12 months apart.** HPV vaccines can be given starting at **age 9.** Children who get the first dose before their 15th birthday only need two doses. Teens who get the first dose on or after their 15th birthday need three doses. The HPV vaccine series is most effective when given before a person is exposed to the virus. More information may be found on the CDC's webpage: <https://www.cdc.gov/hpv/parents/vaccine-for-hpv.html>

HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks. (Ed. Code § 48980.4 and Health & Safety Code § 120336.)

### **Physical Exams and Screenings**

District policy requires that all students registering in the San Mateo Union High School District shall present a Medical Examiner's Statement from a physician/health care provider (MD [medical doctor,] NP [nurse practitioner], PA [physician assistant], or DO [doctor of osteopathic medicine]), no later than the close of the first semester. The Medical Examiner's Statement is available in the "[Health](https://www.smuhsd.org/programs/student-health/health-forms)" section of the [District website](https://www.smuhsd.org/programs/student-health/health-forms) (<https://www.smuhsd.org/programs/student-health/health-forms>) and in the Health Office. If you wish to waive this requirement for your student, you must file a written request to the school principal. (Board Policy 5141.3) The District is required to conduct certain physical examinations, vision and hearing screening of students, unless the parent provides written objection annually. A student may be sent home when there is reason to believe they are suffering from recognized contagious disease and will be allowed to return only when the District staff is satisfied that the student is not contagious or infectious. The District shall cooperate with local health authorities in the control of communicable disease. (Ed. Code §§ 49451, 49452, 49452.5, 49455 & 49403, Health & Safety Code §124085.)

### **Medical Coverage for Injuries**

The San Mateo Union High School District does not carry medical or dental insurance for students if injured on school premises, while under school jurisdiction, or during District-related activities. For this reason, the District has made available a voluntary [medical and dental insurance plan](#) for presentation to a parent/guardian at a reasonable cost. (Ed. Code § 49472.)

### **Medical and Hospital Services Not Provided**

The District does not provide medical and hospital services for students injured while participating in athletic activities. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code §§ 32221.5 and 49471.)

### **Asbestos Management Plans**

Asbestos Management Plans are available for each school in the principal's office. The management plan is a routine document required by federal law for all sites and its preparation does not necessarily mean that a problem exists at any site. The plans may be read at the school site by contacting the principal's office. Individuals wishing to discuss the Asbestos Management Plan should contact the Environmental Health and Safety Specialist at 650-558-2470.

### **Notice of Pesticide Use**

All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The attached list provides the name of each pesticide product, the active ingredient(s) and the Internet address for further information. If you wish notification of individual applications at your student's school facility, register this request with the Director of Maintenance, Operations and Facilities Use at 650-558-2411 and the Environmental Health and Safety Specialist at 650-558-2470. If you register, you will be notified at least 72 hours prior to the application of the pesticide at the school site. In the event that the District decides to apply a pesticide that is not included in the attached Healthy Schools Act Pesticide List, the school site designee will provide written notice to parents of the intended use at least 72 hours before application. If there is an emergency situation\* where the benefits of a non-listed pesticide or herbicide outweighs the

potential ecological risks, the product will be applied if the emergency is approved by the superintendent with notification to the board. The product will be applied in accordance with its label. Additionally, this application will be completed by trained staff or contractors and will be scheduled on a day when students are not at school. The address for the Department of Pesticide Regulation (CDPR) is [www.cdpr.ca.gov](http://www.cdpr.ca.gov) and the CDPR's Healthy Schools Act and pest management resources webpage is <https://www.cdpr.ca.gov/docs/schoolipm/>. Copies of the District's Integrated Pest Management (IPM) plan are available in the school offices and on the District's website at <https://www.smuhsd.org/ipm>.

**Healthy Schools Act of 2000 (AB 2260)**

Notice of all students, parents/guardians and employees of San Mateo Union School District: Assembly Bill 2260 went into effect on January 1, 2001. This legislation enacted Education Code sections 17608 et seq. which require, among other things, that school districts notify parents and staff about the use of pesticides at school. The purpose of this legislation is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, please be advised of the following:

The San Mateo Union High School District expects to use the following pesticides at its campuses during the upcoming year:

Pesticide Name	E.P.A Reg. Number	Active Ingredients(s)
First Strike Soft Bait	7173-258	Difethialone
Fusilade II Turf and Ornamental Herbicide	100-1084	Butyl(RS)-2-[4[[5-(trifluoromethyl)-2-pyridinyl]oxy]phenoxo]propantionate 24.5%
Pendulum Aquacap herbicide	241-416	Pendimethalin 38.7%
Turflon Ester Herbicide	17545-8-54705	Triclopyr ((3,5,6-trichloro-2-pyridinyl) oxy]acetic acid, butoxyethyl ester)
*Round Up Pro Concentrate Herbicide	524-529	Isopropylamine salt of glyphosate 50.2%, Ethoxylated tallowamine 13%, Other ingredients 36.8%

\*Only considered for emergency situations.

Parents/guardians, students, and employees of the San Mateo Union High School District can register with the Director of Maintenance, Operations and Facilities Use to receive notification of individual pesticide applications by calling 650-558-2411. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

If you wish to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code section 13184, you can do so by accessing the Department's website at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

**VI. Non-Discrimination and Equity**

**Statement of Non-Discrimination**

The District is committed to providing equal opportunity for all individuals in District programs and activities. Programs, activities, and practices shall be free from unlawful discrimination, harassment, intimidation, and bullying against an individual or group based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status,

pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610). See District Board Policy and Administrative Regulation 5145.3 for more information. This policy of non-discrimination also applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the local educational agency, and all acts of the District Board of Trustees, District Superintendent, and County Superintendent of Schools in enacting policies and procedures that govern the local educational agency.

### **Sexual Harassment Policy**

The District's [policy on sexual harassment](#) is posted prominently on the District's website and school websites and is included in [section X](#) of this notification. The purpose of this policy is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. (Ed. Code §§ 231.5 and 48980(g)).

### **Access to Programs and Facilities Based on Gender Identity**

Pursuant to state law, students may access sex-segregated programs, activities, and facilities, including locker room and restroom facilities, consistent with their gender identity. Any student may request the use of private or unisex restroom facilities for increased privacy. The District endeavors to protect the privacy of all students.

Students have a right to keep their sexual orientation, gender (including transgender) status, and gender identity private pursuant to state and federal law.

### **Equal Opportunity**

Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972)

Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed at the following address and telephone: Deputy Superintendent of HR and Student Services. 650 N. Delaware Street, San Mateo, CA 94401, 650-558-2209.

### **Sex Equity in Career Planning**

Parents/guardians shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents/guardians to participate in counseling sessions and decisions. (Ed. Code § 221.5(d).)

More information on Responding to and Reporting Bullying, Hazing and Hate Incidents and Crimes can be found on [page 1 of this document](#).

## **VII. Students with Disabilities**

### **Services for Students with a Disability Under Special Education or 504**

State and federal law requires that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs receive appropriate services and placements. Please contact the Special Education Director Dr. Rochelle Hooks at [rhooks@smuhdsd.org](mailto:rhooks@smuhdsd.org) or 650-558-2265 for specific information. (Ed. Code § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. 104.32.) . The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone: 504/MTSS Coordinator, San Mateo Union High School District, 650 N. Delaware Street, San Mateo, CA 94401, 650-558-2213.

### **Child Find Systems**

Any parent/guardian suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school Principal. Policy and procedures shall include written notification to all parents/guardians of their rights pursuant to Education Code section 56300 et seq. (Ed. Code § 56301 and 34 C.F.R. § 104.32(b).)

## VIII. Miscellaneous

### **Availability of State Funds to Cover Costs of Advanced Placement and International Baccalaureate Examination Fees**

School districts may apply to the State Department of Education for grant funding, when available, to assist economically disadvantaged pupils in paying for advanced placement and International Baccalaureate examination fees. School districts that apply for these grants must designate specific school district staff to whom pupils may submit applications for grants and must institute a plan to notify pupils of the availability of financial assistance. For more information about the grant funding, contact the Assistant Principal of Instruction at your school. (Ed. Code §§ 48980(k) and 52242.)

### **Pupil Free Staff Development and Minimum Day Schedule**

A copy of the Districts pupil-free staff development day and minimum day schedule is available on the District [website](#). A student's parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. Negotiated professional development and minimum days are noted in the District yearly calendar. (Ed. Code § 48980(c).)

### **Nutrition Program**

The San Mateo Union High School District Student Nutrition Department participates in the National School Breakfast and Lunch Program. This is a program that serves nutritionally balanced meals every school day. During the 2024-2025 school year the state of California is providing one complimentary breakfast meal and one complimentary lunch meal daily to **ALL** San Mateo Union High School District students. Breakfast is served before school or at brunch, and lunch is served daily. This includes one entrée item plus at least one other item including milk, fruits, and vegetables during all of the service times. All students who are eligible for the program benefits should apply to receive other benefits provided for qualifying for the program. Participating students are not identified or treated differently. [The free and reduced lunch application](#) is now part of the annual online registration process, or the application can be found on the District website <https://www.smuhsd.org/nutrition> where additional information may also be found. (Ed. Code § 49510 et seq.)

### **School Accountability Report Card**

The Governing Board of each school district maintaining an elementary or secondary school shall develop and cause to be implemented for each school in the school district a School Accountability Report Card. Individuals desiring a copy of the Accountability Report Card should contact the principal's office or visit the District website at [www.smuhsd.org/SARC](http://www.smuhsd.org/SARC). (Ed. Code § 35256.)

## IX. Complaints

### **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 the federal regulations and the new, related state regulations, California Code of Regulations, title 5, sections 15580 – 15584. A complaint must be submitted within one year of the date of the alleged violation, and may be filed by phone, email, or letter. Please see California Code of Regulations, title 5, sections 15580 – 15584 for more information. (5 CCR 15580-15584)

## Complaints (Special Education)

Parents/guardians may file a complaint concerning violations of federal or state law or regulations governing special education related services. To file a complaint, write a description of the manner in which the parent/guardian believes special education programs do not comply with state or federal law or regulations and file with the District official listed below at the following address and telephone number:

Rochelle Hooks, Ed.D.  
Director of Special Education  
650 N. Delaware Street, San Mateo, CA 94401  
650-558-2265, [rhooks@smuhdsd.org](mailto:rhooks@smuhdsd.org)

SELPA Administration  
Mary Yung, Ed.D. (*she, her*)  
Executive Director, SELPA  
[myung@smcoe.org](mailto:myung@smcoe.org), 650-802-5465,  
101 Twin Dolphin Drive, Redwood City, CA 94065  
[www.smcoe.org](http://www.smcoe.org)

Complaints alleging violations of federal and state special education laws or regulations may be mailed to:  
California Department of Education  
Special Education Division  
Complaint Support Unit  
1430 N Street, Suite 2401, Sacramento, CA 95814  
You may also email your complaint to [speceducation@cde.ca.gov](mailto:speceducation@cde.ca.gov).

Complaints regarding special education programs are no longer covered by the District's Uniform Complaint Procedures. Complaints alleging that a student was discriminated against due to his or her disability still fall under the Uniform Complaint Procedures.

For more information about filing a complaint, please refer to the Notice of Procedural Safeguards, Special Education Rights of Parents and Children under the IDEA and the California Education Code, which is available from your child's school or may be accessed online: [Notice of Procedural Safeguards](#).

## Williams Complaints

Complaints, including anonymous complaints, may be made and addressed on a shortened timeline for the following areas (Ed. Code § 35186 and 5 CCR §§ 4680 – 4687):

- (1) Insufficient textbooks and instructional materials;
- (2) Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils;  
or
- (3) Teacher vacancy or mis-assignments.

A complainant not satisfied with the resolution of a Williams Complaint has further rights under Education Code Section 35186. Complaints asserting that one or more students does not have sufficient textbooks or instructional materials due to the District governing board's failure to remedy the deficiency may be filed directly with the State Superintendent of Public Instruction. The State Superintendent of Public Instruction may intervene without waiting for the District to investigate.

**Responsible Official:** The District official responsible for processing Williams Complaints is listed below at the following address:

Julia Kempkey, Ed.D., Assistant Superintendent, Curriculum and Instruction  
650 N. Delaware Street, San Mateo, CA 94401  
650-558-2253



## Uniform Complaint Procedures

[The District's Uniform Complaint Procedures, Board Policy 1312.3](#) is included in this notification.

### Types of Uniform Complaints

**Complaints Alleging Discrimination:** State and federal law prohibit discrimination in education programs and activities. State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of disability (mental and physical), age, sex (sex discrimination includes sexual harassment and discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, recovery from pregnancy or childbirth-related conditions, or denial of lactation accommodations for lactating students), gender (includes gender identity, gender expression and gender related appearance and behavior whether or not associated with the person's assigned sex at birth), genetic information, nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), marital, parental or family status, or the perception of one or more of such characteristics. Intimidation, harassment or bullying based upon these actual or perceived characteristics, or because a person associates with a person or group with one or more of these actual or perceived characteristics, is also prohibited. (Ed. Code §§ 210-214, 220 et seq., and 66260 et seq., Cal. Code Regs., tit. 5, § 4900 et seq., 20 U.S.C. § 1681 et seq., 29 U.S.C. § 794, 42 U.S.C. § 2000d et seq., 42 U.S.C. § 12101 et seq., and 34 C.F.R. § 106.9.)

The District has a written complaint procedure which may be used in cases where individuals have suffered discrimination on the basis of actual or perceived sex, sexual orientation, ethnic group identification, immigration status, race, ancestry, national origin, religion, age, gender, color, or physical or mental disability. (Cal. Code Regs., tit. 5, §§ 4610, 4630, 4650.)

- a.) Any individual, public agency or organization has the right to file a written complaint alleging that they have personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs., tit. 5, § 4630(c).)
- b.) Complaints must usually be filed with the (director/district superintendent/designee of the LEA). In the following cases, however, complaints may be filed directly with the State Superintendent of Public Instruction: (Cal. Code Regs., tit. 5, §§ 4630(a), 4650.)
  - (1) Complaints alleging that the District failed to comply with the complaint procedures described herein.
  - (2) Complaints alleging facts which indicate that complainant will suffer an immediate loss of some benefit such as employment or education.
  - (3) Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at the District level.
  - (4) Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.
  - (5) Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.
  - (6) The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District.
  - (7) Complaints alleging that the District governing board refused to approve or prohibited the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any school library book or other resource for discriminatory reasons or in violation of Education Code section 243.
- c.) Complaints must be filed within six (6) months of the date the alleged discrimination, harassment, or bullying occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, or bullying. The District can extend this deadline by up to ninety (90) calendar days if there is good cause to do so. Extensions will not be automatically

granted. (Cal. Code Regs., tit. 5, § 4630(b).)

**Complaints Other Than Discrimination:** The District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination

a.) Written complaints may be made in the following areas:

1. Adult Basic Education
2. Consolidated Categorical Aid Programs
3. Migrant Education
4. Vocational Education
5. Regional Occupational Centers and Programs
6. Child Care and Development
7. State Preschool Health and Safety Issues
8. Pupil Fee Noncompliance (Ed. Code §49013)
9. School Safety Planning (Ed. Code §§ 32286 and 32289 and 20 USC § 7114(d)(7))
10. Local Control Accountability Plan Noncompliance (Ed. Code § 52075)
11. Foster and homeless youth educational rights
12. Lactating student accommodations
13. Educational content course requirements for grades 9-12;
14. Graduation requirements, graduation deferment, continued education options and community college transfer opportunities for former juvenile court school students;
15. Graduation and coursework requirements for the children of military families
16. Parental leave and educational rights for pregnant and parenting students.  
(Ed. Code §§ 221.51 and 46015); and
17. Physical education instructional minutes requirement non-compliance. (Ed. Code §51222)

b.) Complaints other than discrimination must be filed within **one year** of the date the complainant knew or should have known of the alleged conduct. (5 CCR § 4630 (a).) Complaints must usually be filed with the administrator/superintendent of the LEA. Complaints regarding the imposition of pupil fees for participation in educational activities may be filed with the school principal and may be submitted anonymously. Local Control Accountability Plan (LCAP) noncompliance complaints may also be filed anonymously. If pupil fee or LCAP complainant is not satisfied with the District's decision, complainant may appeal to the California Department of Education (CDE) and receive a written decision from the CDE within 60 days. (Cal. Code Regs., tit. 5, §§ 4610(a), 4630.)

In the following cases, complaints may be filed directly with the State Superintendent of Public Instruction:

1. Complaints alleging that the District failed to comply with the complaint procedures described herein.
2. Complaints regarding Child Development programs not administered by the District.
3. Complaints alleging that the District failed to comply with federal school safety planning requirements.
4. Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.
5. Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.
6. Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.
7. The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District. (Cal. Code Regs., tit. 5, §§ 4630, 4650.)

**Uniform Complaints – Rights of Homeless and Students in Foster Care:** The district's uniform complaint procedures cover complaints pertaining to the education of homeless and students in foster care, including, but not limited to, a school district's failure to:

1. Allow a foster child to remain in his/her school of origin while resolution of a school placement dispute is pending (Ed. Code § 48853(d));
2. Place a foster child 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 (Ed. Code § 48853(h));
3. Provide educational services for foster children living in emergency shelters;
4. Designate a staff person as the educational liaison for foster children. The educational liaison must ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children, and assist foster children when transferring from one school or district to another by ensuring the proper transfer of credits, records and grades;
5. Compile and transfer the complete educational record, including full or partial credits earned and the current classes and grades, of a transferring foster child to the next educational placement;
6. Ensure the proper and timely transfer between schools of students in foster care (Ed. Code § 49069.5(b));
7. 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 (Ed. Code § 49069.5(d) and (e)); and
8. 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 (Ed. Code § 49069.5(g) and (h)).

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.)

**Uniform Complaints – Graduation and Coursework Requirements for Foster Youth, Homeless Students, Former Juvenile Court Students, Migratory and Newly Arrived Immigrant Students Participating in a “Newcomer Program,” and Students Living in Active Duty Military Households:**

Foster youth, homeless students, former juvenile court students, 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, and students living in the households of parents/guardians who are active duty members of the military are afforded certain rights under state law that may include:

- exemption from local graduation and coursework requirements that are in addition to the statewide coursework requirements for graduation;
- credit or partial credit for coursework completed while attending another school;
- the option to remain in school for a fifth year to complete the school district's graduation requirements; and
- not being required to accept 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.

## **Non-Compliance Complaints**

Complaints of non-compliance may be filed with the District under the District's Uniform Complaint Procedures. A complainant not satisfied with the District's decision may appeal to the California Department of Education (CDE) and receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal. (Ed. Code §§ 54441, 51225.1 and 51225.2.)

## **Uniform Complaints – Former Juvenile Court School Student 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.)

## **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, the law provides more extensive graduation and continuing education options for former juvenile court students who have qualified for a diploma.

County offices of education must notify juvenile court students who have qualified for a diploma, their educational rights holders, and their social workers or probation officers of the following:

- The student's right to a diploma without having to complete coursework or other requirements that are in addition to statewide graduation requirements;
- 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;
- Information about transfer opportunities available through the California Community Colleges;
- 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.

When deciding whether to decline the diploma, the county office of education must advise the student, or if a minor, his/her educational rights holder, whether the student is likely to do all the following upon his/her release from a juvenile detention facility:

- Enroll in a school operated by a local educational agency or charter school;
  - a. Benefit from continued instruction; and
  - b. Graduate from high school.

Complaints of non-compliance with juvenile court students' graduation and continuing education rights may be filed with the District under its Uniform Complaint Procedures. A complainant not satisfied with the District's decision may appeal to the California Department of Education (CDE) and receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal. (Ed. Code §§ 48645.5 and 48645.7.)

## **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.)

### **Uniform Complaints – Lactation Accommodations for Parenting Students**

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

### **Pregnant and Parenting Student Rights**

#### **Rights Under Education Code Section 221.51**

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

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

#### **Rights Under Education Code Section 46015**

(a)

- 1) pregnant or parenting students are entitled to eight weeks of parental leave, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The student, if the student is 18 years of age or older, or, if the student is under 18 years of age, the person holding the right to make educational decisions for the student, shall notify the school of the student's intent to exercise this right. Failure to notify the school shall not reduce these rights.

- 2) A pregnant or parenting student who does not wish to take all or part of the parental leave to which s/he is entitled shall not be required to do so.
- 3) A pregnant or parenting student is entitled to receive more than eight weeks of parental leave if deemed medically necessary by the student's physician.
- 4) When a student takes parental leave, the supervisor of attendance shall ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program or an alternative education program.
- 5) During parental leave, a local educational agency shall not require a pregnant or parenting student to complete academic work or other school requirements.
- 6) A pregnant or parenting student may return to the school and the course of study in which they were enrolled before taking parental leave.
- 7) Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.
- 8) Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the school in which the student was previously enrolled when it is necessary in order for the student to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the student is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.
- 9) A student who chooses not to return to the school in which they were enrolled before taking parental leave is entitled to alternative education options offered by the local educational agency.
- 10) A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
- 11) A student shall not incur an academic penalty as a result of their use of these accommodations.

#### **Uniform Complaints – District Contact Persons:**

Please contact Kirk Black, Deputy Superintendent, Human Resources and Student Services at 650-558-2208 or Sandra Fewer, Human Resources Generalist at 650-558-2246.

#### **Uniform Complaints - Filing and Response Deadlines**

A complaint of noncompliance with the above requirements may be filed with the District under its Uniform Complaint Procedures.

#### **Statute of Limitations**

Complaints alleging harassment, discrimination, intimidation, or bullying by or against a student on the basis of the complainant's protected status must be filed within **six months** of the date the complainant knew or should have known of the alleged conduct. The District can extend this deadline for 90 calendar days if there is good cause to do so. (5 CCR § 4630 (b).)

UCP complaints containing all other types of allegations must be filed within **one year** of the date the complainant knew or should have known of the alleged conduct. (5 CCR § 4630 (a).)

#### **Timelines**

The District must investigate and prepare a written report within 60 calendar days, but this deadline may be extended by written agreement with the complainant.

#### **Appeals**

A complainant not satisfied with the District's decision may, within 30 calendar days of receipt of the decision, **appeal** the decision to the California Department of Education (CDE) and shall receive a written decision regarding the appeal within 60 calendar days of the CDE's receipt of the appeal, but this deadline may be extended by written agreement with the complainant/appellant.

If the District finds merit in a complaint, or if the CDE finds merit in an appeal, the District shall provide a remedy to the affected student.

Appeals must:

- 1) Be in writing.
- 2) Specify the reason(s) for appealing the District's decision.
- 3) Include a copy of the original complaint and a copy of the District's decision.

### **Reconsideration**

If a complaint is denied, in full or in part, by the CDE, the complainant may request **reconsideration** by the State Superintendent of Public Instruction. (5 CCR § 4665.)

- Within **30 calendar days** of the date of the CDE's written appeal decision, either party may request **reconsideration**. (5 CCR § 4635(a).)
- The State Superintendent of Public Instruction must act on the **reconsideration** request within **60 calendar days**. (5 CCR § 4635(c).)

The CDE's appeal decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

### **Civil Law Remedies**

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (Ed. Code, § 262.3(b), Cal. Code Regs., tit. 5, § 4622.)

## **X. Board Policies, Administrative Regulations and Addenda**

### **Board Policies and Administrative Regulations**

All SMUHSD Board Policies and Administrative Regulations are available [online](#). The following direct links to policies are included as part of the District's annual notification to parents. Parents may view any SMUHSD policies or administrative regulations in a variety of languages by clicking on the globe icon in the upper right hand corner of the web page where the policy is listed.

[Interdistrict Attendance – Board Policy 5117](#)

[Intradistrict Open Enrollment – Board Policy 5116.1](#)

[Sexual Harassment – Board Policy 5145.7](#)

[Sexual Harassment – Administrative Regulation 5145.7](#)

[Title IX Sexual Harassment Complaint Procedures – Administrative Regulation 5145.71](#)

[Title IX Sexual Harassment Complaint Procedures - Exhibit 5145.71](#)

[Uniform Complaint Procedures – Board Policy 1312.3](#)

[Uniform Complaint Procedures – Administrative Regulation 1312.3](#)

[Student Use of Technology – Board Policy 6163.4](#)

[Bullying – Board Policy 5131.2](#)

[Parent Involvement – Admin Regulation 6020](#)

# Addenda

The following content is included as part of the Annual Notification to Parents:

## Firearms Safety Memorandum

**To: Parents and Guardians of Students in the San Mateo Union High School District**

**From: Randall Booker, Superintendent**

**Subject: California Law Regarding Safe Storage of Firearms**

**Date published: 06/30/23**

### California Department of Education

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the San Mateo Union High 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 spells out 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
  - o (1) causes death or injury to the child or any other person;
  - o (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
  - o (3) unlawfully brandishes the firearm to others.<sup>1</sup>
    - 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.<sup>2</sup>
- 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.<sup>3</sup>
- 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.<sup>4</sup>

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that 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.

Sincerely,

Randall Booker  
Superintendent

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1 See California Penal Code sections 25100 through 25125 and 25200 through 25220.

2 See California Penal Code section 25100(c).

3 See California Civil Code Section 29805.

4 See California Civil Code Section 1714.3.



## **CDC Fentanyl Facts**

Information from the Centers for Disease Control and Prevention regarding Fentanyl are included in the annual parental notification: [CDC Fentanyl Facts \(English\)](#) and [CDC Fentanyl Facts \(Spanish\)](#).

## **Notification of Rights Under FERPA for Elementary and Secondary Schools**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records.

These rights are:

- (1) The right to inspect and review the student's education records. Parents or eligible students should submit to the School principal or District Office a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- (2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- (3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical 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 their tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility.

Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office - U.S. Department of Education  
400 Maryland Avenue, SW, Washington, DC 20202-4500

**Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)** PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parents; or
  8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of:
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use:
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the education curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. San Mateo Union High School District will/has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. San Mateo Union High School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. San Mateo Union High School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt their child out of participation of the specific activity or survey. San Mateo Union High School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution
- Administration of any unprotected information survey not funded in whole or in part by the Department of Education.
- Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office, U.S. Department of Education  
400 Maryland Avenue, SW, Washington, D.C. 20202-5920

**Education Code section 48853.5**

**Foster children; notice of educational rights; educational liaison; duties; continuation at school of origin; complaint of noncompliance**

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

- (1) A child who has been removed from their home pursuant to Section 309 of the Welfare and Institutions Code.
- (2) A child who is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code, whether or not the child has been removed from their home.
- (3) A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law.
- (4) A child who is the subject of a voluntary placement agreement, as defined in subdivision (p) of Section 11400 of the Welfare and Institutions Code.

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

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

- (1) Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children.
- (2) Assist foster children when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records, and grades.

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

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

- (f) (1) At the initial detention or placement, or any subsequent change in placement of a foster child, the local educational agency serving the foster child shall allow the foster child to continue the foster child's education in the school of origin for the duration of the jurisdiction of the court.
- (2) If the jurisdiction of the court is terminated before the end of an academic year, the local educational agency shall allow a former foster child who is in kindergarten or any of grades 1 to 8, inclusive, to continue the former foster child's education in the school of origin through the duration of the academic school year.
- (3) (A) If the jurisdiction of the court is terminated while a foster child is in high school, the local educational agency shall allow the former foster child to continue the former foster child's education in the school of origin through graduation.
- (B) For purposes of this paragraph, a school district is not required to provide transportation to a former foster child who has an individualized education program that does not require transportation as a related service and who changes residence but remains in the former foster child's school of origin pursuant to this paragraph, unless the individualized education program team determines that transportation is a necessary related service.
- (4) To ensure that the foster child has the benefit of matriculating with the foster child's peers in accordance with the established feeder patterns of school districts, if the foster child is transitioning between school grade levels, the local educational agency shall allow the foster child to continue in the school district of origin in the same attendance area, or, if the foster child is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, to the school designated for matriculation in that school district.
- (5) (A) Paragraphs (2), (3), and (4) do not require a school district to provide transportation services to allow a foster child to attend a school or school district, unless there is an agreement with a local child welfare agency that the school district assumes part or all of the transportation costs in accordance with Section 6312(c)(5) of Title 20 of the United States Code, or unless otherwise required under federal law. This paragraph does not prohibit a school district from, at its discretion, providing transportation services to allow a foster child to attend a school or school district.
- (B) In accordance with Section 6312(c)(5) of Title 20 of the United States Code, local educational agencies shall collaborate with local child welfare agencies to develop and implement clear written procedures to address the transportation needs of foster youth to maintain them in their school of origin, when it is in the best interest of the foster youth.
- (6) The educational liaison, in consultation with, and with the agreement of, the foster child and the person holding the right to make educational decisions for the foster child, may recommend, in accordance with the foster child's best interests, that the foster child's right to attend the school of origin be waived and the foster child be enrolled in a public school that pupils living in the attendance area in which the foster child resides are eligible to attend.
- (7) Before making a recommendation to move a foster child from the foster child's school of origin, the educational liaison shall provide the foster child and the person holding the right to make educational decisions for the foster child with a written explanation stating the basis for the recommendation and how the recommendation serves the foster child's best interests.
- (8) (A) If the educational liaison, in consultation with the foster child and the person holding the right to make educational decisions for the foster child, agrees that the best interests of the foster child would best be served by the foster child's transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school.
- (B) The new school shall immediately enroll the foster child even if the foster child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce

clothing or records normally required for enrollment, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history pursuant to Chapter 1 (commencing with Section 120325) of Part 2 of Division 105 of the Health and Safety Code, proof of residency, other documentation, or school uniforms.

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

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

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

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

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

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

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

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

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

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

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

### **EDUCATION CODE SECTION 49073**

School districts shall adopt a policy identifying those categories of directory information as defined in subdivision (c) of Section 49061 that may be released. The school district shall determine which individuals, officials, or organizations may receive directory information. However, no information may be released to a private profit making entity other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment before graduation may be provided to a private school or college operating under Chapter 8 (commencing with Section 94800) of Part 59 of Division 10 of Title 3 or its authorized representative. However, no such private school or college shall use that information for other than purposes directly related to the academic or professional goals of the institution, and a violation of this provision is a misdemeanor, punishable by a fine of not to exceed two thousand five hundred dollars (\$2,500). In addition, the privilege of the private school or college to receive the information shall be suspended for a period of two years from the time of discovery of the misuse of the information. Any school district may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of pupils.

- (b) Directory information may be released according to local policy as to any pupil or former pupil. However, notice shall be given at least on an annual basis of the categories of information that the school district plans to release and of the recipients. Directory information shall not be released regarding a pupil if a parent of that pupil has notified the school district that the information shall not be released.
- (c) Directory information shall not be released regarding a pupil identified as a homeless child or youth, as defined in paragraph (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 USC. Sec. 11434a(2)), unless a parent, or pupil accorded parental rights, as identified in the federal Family Educational Rights and Privacy Act (20 USC. Sec. 1232g), has provided written consent that directory information may be released.