



June 17, 2010

To: Schools Legal Service Clients  
From: Melissa H. Brown  
Re: Annual Notification to Parents/Guardians

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providing legal and  
collective bargaining  
services to California  
public education  
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As you are aware, Education Code (EC) section 48980 et seq. requires school districts to notify parents or guardians of their rights and responsibilities at the beginning of each academic year. EC section 48982 requires parents or guardians to sign the Notice and return it to their child's school.

This memorandum is designed to assist you in meeting the notification requirements for your district. The format of the memorandum has been changed from recent years, but after consulting with multiple sources, we have concluded that only a few changes to the content of the generic language recommended in the Annual Notice are necessary. You will find such new or changed language in bold throughout the Annual Notice and this memorandum. You will note throughout the enclosed generic Annual Notice to Parents/Guardians that notes to you are placed in brackets and recommended language is indented and in smaller font so as to highlight said recommended language.

As with every year's update, we remind you that the attached generic Annual Notice to Parents/Guardians:

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

Additional Documents to be Attached to the Annual Notice to Parents/Guardians

In addition to the Annual Notice to Parents/Guardians, each school district is required to provide documents that are specific to each individual school district. The following documents must also be included with the Annual Notice:

- Your district's policy on sexual harassment;

- A listing of all pesticides that will be used at each school site in your district (including the internet address developed by the Department of Pesticide Regulation pursuant to Food and Agricultural Code section 13184 for access to information on pesticides and pesticide use reduction, and the parent option to register to receive notification of individual pesticide applications at the school facility);
- The schedule of all minimum and pupil-free staff development days for your district (school calendar);
- Your district's policy on parent classroom visits;
- Your district's Uniform Complaint Procedures, which should include an explanation of the process, opportunity to appeal to the California Department of Education (Education Code section 262.3), district staff person(s) responsible for processing complaints, and a statement that additional civil law remedies may be available under state and federal discrimination laws.

#### Other Documents That May be Requested

State and federal law requires that many documents and other information also be made available to parents/guardians upon request, including, but not limited to, each school's Prospectus of School Curriculum and district non-discrimination policies. In satisfaction of these requirements, the 2010-2011 Annual Notice to Parents/Guardians provides that such information may be obtained either from the student's school or the district office (as appropriate). Accordingly, please review the Annual Notice to Parents/Guardians carefully to ensure that your district's policies and procedures are consistent with this statement.

#### College Admission Requirements and Career Technical Education

**Education Code section 51229 requires each district offering grades 9-12 to provide the parent or guardian of each minor student enrolled in any of those grades in the district with an annual written notification of the College Admission Requirements and Career Technical Education. This written notice, to the extent possible, shall not exceed one page in length and must include the following:**

- **A brief explanation of the college admission requirements;**
- **A list of the current California public college websites and a list of high school courses that have been certified by the University of California as satisfying the requirements for admission to state public colleges;**
- **A brief description of career technical education;**

- The internet address for the portion of the Web site of the department where students can learn more about career technical education; and
- Information about how pupils may 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.

It is recommended that each high school district include the College Admission Requirements and Career Technical Education notification with its Annual Notice to Parents/Guardians.

### High School Exit Examination

Education Code section 48980(e) requires the Annual Notice to advise parents/guardians that each student completing grade 12 will be required to successfully pass the high school exit examination. The notification must include, at minimum, the date of the examination, the requirements for passing the examination, the consequences of not passing the examination, and that passing the examination is a condition of graduation.

5 CCR 1208 requires the school district to maintain documentation that the parent/guardian of each student has been sent written notification as required by Education Code sections 48980 and 60850. It is recommended that each district provide written notice at the commencement of grade 9 and each year thereafter in its Annual Notice. A sample notification flyer of the examination is provided by the California Department of Education at:

[http://www.cde.ca.gov/ta/tg/hs/documents/cahseeqa08\\_003.doc](http://www.cde.ca.gov/ta/tg/hs/documents/cahseeqa08_003.doc).

### Availability of Funds for Advanced Placement and/or International Baccalaureate Examinations

Education Code section 48980(k) requires the annual notification to advise the parent/guardian if the school district has obtained state funds to cover the costs of advanced placement examination fees under Education Code section 52244.

### High School Proficiency Exam

The principal of a school maintaining grades 11 and 12 is required to distribute an announcement explaining the California High School Proficiency Examination provided under Education Code section 48412. Notification is to be made in time sufficient to enable interested students to meet examination registration requirements for the Fall test.

### School Accountability Report Card

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

### Title I /No Child Left Behind Notices

For districts that may be receiving Title I and/or any other federal funds, please note that the annual notice to parents is not intended to satisfy other specific notification obligations you may have under federal law, including the No Child Left Behind Act (NCLB). Although the annual notice to parents does contain some parent notifications in satisfaction of NCLB, the scope of such notice is limited to providing only those notices universally required of all districts. **Similar to the NCLB requirements, California has enacted the Open Enrollment Act (Education Code sections 48350 et seq.), which requires districts with a "low-achieving school" to notify the parents at that school of their option to transfer to another public school served by the district of residence or another school district.** Districts should consult with their Title I and other special program coordinators as well as Schools Legal Service with respect to any additional notifications that may be required.

**Title 34 of the Code of Federal Regulations section 200.37 requires that Title I districts who have identified a school for improvement or who subject a school to corrective action or restructuring, must provide annual notice of Supplemental Educational Services (SES) availability. This notice must include state-approved providers, a brief description of them, their qualifications and demonstrated effectiveness. The descriptions must specify which providers serve limited English proficient students or those with disabilities. In addition, the notice must provide an explanation of the benefits of receiving SES. While districts can include this notice with their Annual Notice to Parents/Guardians, this information must be clear and distinguishable from other school information sent home.**

### Title VI of the Civil Rights Act of 1964

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

### **Federal Race and Ethnicity Data Collection Reporting**

Based upon final guidance from the U.S. Department of Education regarding the collection of race and ethnicity data for students and staff, the California Department of Education has revised its data collection requirements using the California Pupil Achievement Longitudinal Data System (CALPADS). Beginning with the 2009-2010 school year, districts are now obligated to comply with the new reporting requirements using a two-part question. Visit <http://www.cde.ca.gov/ds/sp/cl/> for more information. It is recommended that the Annual Notice to Parents/Guardians be used as the mechanism for distributing the information to students and/or collecting the required data.

### **Diabetes Screening**

Beginning with the 2010-2011 school year, every district shall provide an information sheet regarding Type 2 Diabetes to the parent or guardian of every incoming 7th grade student. It is recommended that this information sheet be included in the Annual Notice to Parents/Guardians packet. Pursuant to the requirements of Education Code section 49452.7, the information sheet has been developed by the California Department of Education and can be located at: <http://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>.

### **Homeless Youth Education**

The law requires school district homeless liaisons to ensure parents of homeless students are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children.

Notification may address: (1) Liaison contact information; (2) Circumstances for eligibility (e.g., living in a shelter, a motel, hotel, etc.); (3) Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers; and (4) Right of education and other services.

### **Release of Information to Military Services Representatives**

Federal law requires school districts receiving assistance under the No Child Left Behind Act to provide military recruiters the same access to secondary school pupils as is provided to post secondary educational institutions or to prospective employers. Parents may request that the district not release their pupil's name, address and telephone number without prior written consent. Written notice must be submitted to the school if the parent or legal guardian wishes to deny access to this information.

### Notification in Other Languages

Districts may wish to give, or may be required to give, the Annual Notice to Parents/Guardians and attachments (e.g., Uniform Complaint Procedure, Sexual Harassment Policy, etc.) in other languages. Section 48985 of the Education Code provides:

"When 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 through 12 speak a single primary language other than English, as determined from the census data submitted to the Department of Education pursuant to Section 52164 in the preceding year, all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to being written in English, be written in such primary language, and may be responded to either in English or the primary language."

**Note: The California Department of Education has established a Clearinghouse for Multilingual Documents to help school districts meet state and federal requirements for document translation and parental notification, including the requirements in Education Code section 48985, the No Child Left Behind Act, and other legislation. The Clearinghouse may be accessed at the following web address:  
<http://www.cde.ca.gov/Ls/pf/cm/>.**

\* \* \* \* \*

We believe that our Annual Notice to Parents/Guardians will satisfy a school district's obligations under Education Code section 48980 and other state and federal laws addressing annual notice requirements. As always, please feel free to contact any of our attorneys at Schools Legal Service should you have any questions.

MHB:ra  
Enclosure

**ANNUAL NOTICE TO PARENTS/GUARIDANS  
2010-2011**

Dear Parent/Guardian:

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

If you have any questions regarding this information, please feel free to contact our school district office at *[phone #]*.

Sincerely,

DISTRICT SUPERINTENDENT

*[NOTE TO ADMINISTRATORS: Parents are required by law to sign and return the acknowledgment form; however, the district need not ensure that the forms are returned, as long as these materials are sent to parents or guardians according to the normal method of communication utilized by your district.]*

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**PARENTAL ACKNOWLEDGMENT**

Education Code section 48982 requires parents or guardians to sign and return this acknowledgment.

By signing below I am neither giving nor withholding my consent for my child/ children to participate in any program. I am merely indicating that I have received and read the attached notice regarding my rights relating to activities which might affect my child/children.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Printed Name of Student(s)

\_\_\_\_\_  
Printed Name of Parent/Guardian

\_\_\_\_\_  
Printed Name of Student(s)

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## APPLICABLE TO ALL SCHOOLS AND DISTRICTS

### **ATTENDANCE**

#### Excused Absences (E.C. section 48205)

According to law, your child will be excused for absence when it is:

- a. Due to his or her illness.
- b. Due to quarantine under the direction of a county or city health officer.
- c. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- d. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- e. For the purpose of jury duty in the manner provided by law. (E.C. sections 46010 *et seq.*)
- f. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
- g. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference or the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- h. For the purpose of serving as a member of a precinct board for an election pursuant to law. (E.C. section 12302.)

#### Absence for Religious Purposes (E.C. section 46014)

With your written permission, your child may be excused to attend religious exercises or to receive moral and religious instruction away from school. However, your child will be required to complete a certain number of minutes for that day. Such absences are limited to four days per month.

## **No Grade Reduction or Loss of Academic Credit (E.C. section 48980(j))**

**Your child shall not have his/her grade reduced or lose academic credit for any excused absence(s) if missed assignments and tests can be reasonably provided and are satisfactorily completed in a reasonable time.**

### Alternative Schools (E.C. section 58500)

[If your district offers such a program, notice may be best handled in a separate communication.]

### Intradistrict Attendance Options (E.C. sections 35160.5 and 48980)

[The notification shall advise the parent/guardian of all current attendance options under your district's intradistrict program, a description of the procedure for alternative attendance areas or "open enrollment" programs, an application form for requesting a change, and a description of the appeals process available, if any, for a parent/guardian denied a change of attendance. The State Department of Education should distribute language for this portion of the notification to all school districts. If you have received it, follow its directions.]

Required:

"It is the intent of the Legislature that the governing board of each school district annually review the enrollment options available to the pupils within their districts and that the school districts strive to make available enrollment options that meet the diverse needs, potential, and interests of California's pupils."

### Interdistrict Attendance Options (E.C. sections 48300-48315)

[Optional: If your district elected to become a "district of choice," to accept the transfer of students residing outside your district's attendance area, you are required to give notice of such a program. This notice should include a description of the program and the procedures for applying.]

### Attendance Where Parent/Guardian is Employed (E.C. section 48204(b))

[Now applicable through the 12th grade. Parent/guardian applies during elementary grades but now student is allowed to attend the school through the 12th grade.]

Your child may have the option of attending school in the district where you or your spouse is employed. If interested, call the school office for information.

### Attendance Where Caregiver Resides (E.C. section 48204(d))

If your child lives in the home of a caregiving adult, as defined by law, your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the caregiving adult is required

to determine that your child lives in the caregiver's home.

### Individualized Instruction (E.C. sections 48206.3 and 48980(b))

If your child has a temporary disability which prevents him/her from attending regular classes, the district will provide individual instruction when possible.

### Students in Hospitals Outside of School District (E.C. sections 48207 and 48208)

If your child is, due to a temporary disability, in a hospital or other residential health facility which is located outside your school district, he/she may be eligible to attend the school district in which the hospital is located. If this situation should arise, you should notify both the district where you reside and where the hospital is located so that individualized instruction, if possible, can be provided.

### Minimum Days or Pupil Free Staff Development Days (E.C. section 48980(c))

[If your district's or a particular school's schedule for these days are known in time for this notice, include them in this notice. It is suggested you provide a calendar to satisfy this requirement. Otherwise, the law requires at least one-month's prior notice of the dates.]

## **DISCIPLINE**

### Student Discipline Rules and Right to Review Same (E.C. section 48915)

The district maintains a student discipline code with a policy and procedures. Copies are available at the district office. You have a right to review the school rules regarding student discipline. [If you wish to do so, please contact the school office.] or [Please review the attached rules.]

### Release of Student to Peace Officer (E.C. section 48906)

If a school official releases your child from school to a peace officer for the purpose of removing him/her from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian.

### Parent Responsibility for Student-Caused Damages (E.C. sections 48904 and 48900.1; Civil Code section 1714.1)

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children which result in death or injury to other students, school personnel, or school property. Parents are also liable for any school property loaned to the student and willfully not returned.

This school year, parent or guardian liability may be as much as \$15,693 in damages and another maximum of the same amount for payment of a reward, if any. We expect these amounts to be indexed and rise annually.

The school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money.

If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom.

#### Student Search (U.S. Supreme Court Case: *New Jersey v. T.L.O.* (1985) 469 U.S. 325)

The school principal or designee may search the person of a student (including backpack, purse, bag, etc.) or the student's locker if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband.

Evidence gathered from video surveillance tape systems in posted areas is specifically admissible in discipline hearings, as no one has a reasonable expectation of privacy in those circumstances.

#### Dress Code or Uniforms (E.C. section 35183(d))

[If your district adopts a dress code or requires uniforms, parents are entitled to at least a six-months' notice and the availability of resources to assist economically disadvantaged students.]

#### Student Sexual Harassment (E.C. section 231.5; 5 CCR section 4917)

Students in grades 4 through 12 may be suspended or expelled for sexual harassment. A copy of the district's policy on student sexual harassment is enclosed for your review.

[Enclose policy for review.]

### **STUDENT SERVICES**

#### Services to Disabled Pupils (E.C. sections 56020 *et seq.*)

If you have reason to believe that your child (ages 0 through 21 years) has a disability which requires special services or accommodations, bring this to the attention of the school office. Your child will be evaluated to determine whether he/she is eligible for special instruction or services.

#### Prospectus of School Curriculum (E.C. sections 49063 and 49091.14)

**The curriculum of every course offered by the schools of the district is compiled annually by each school in a prospectus. Each school prospectus is available for review upon request at each school site.**

#### Pupil Nutrition/Notice of Free and Reduced Meal Prices (E.C. sections 49510-49520)

Your child may be eligible to purchase lunch in the cafeteria at a reduced rate. You will

be provided with information regarding your child's eligibility for this program.

Fingerprinting (E.C. section 32390)

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

Special Education; Child Find System (E.C. section 56301)

**[The District's special education local plan area (SELPA) can provide appropriate and specific language to meet this notification requirement.]**

**Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal.**

**HEALTH/SAFETY SERVICES**

Immunizations (E.C. sections 49403 and 48216; Health and Safety Code sections 120335, 120365, and 120370)

Immunizations must be up-to-date before admission to any K-12 school program is granted. To enter or transfer into public and private elementary and secondary schools (grades kindergarten through 12), children under age 18 years must have immunizations as outlined below. Vaccines and required doses are:

VACCINE	REQUIRED DOSES
<b>Polio</b>	<b>4 doses at any age, but ...</b> 3 doses meet requirement for ages 4-6 if at least one was given on or after the 4 <sup>th</sup> birthday; 3 doses meet requirement for ages 7-17 years if at least one was given on or after the 2 <sup>nd</sup> birthday.
<b>Diphtheria, Tetanus, and Pertussis</b> <i>Age 6 years and under (Pertussis is required)</i> DTP, DtaP or any combination of DTP or DtaP with DT (tetanus and diphtheria).	<b>5 doses at any age, but ...</b> 4 doses does meet requirements for ages 4-6 if at least one was on or after the 4 <sup>th</sup> birthday.
<i>Age 7 years and older (Pertussis is not required)</i> Td, DT, or DTP, DtaP or any combination of these.	<b>4 doses at any age, but ...</b> 3 doses meet requirement for ages 7-17 years if at least one was on or after the 2 <sup>nd</sup> birthday. If last dose was given before the 2 <sup>nd</sup> birthday, one more (Td) dose is required.
<i>7<sup>th</sup> grade</i> Td booster.	<b>1 dose</b> not required but recommended if more than 5 years have passed since last DTP, DTaP, DT, or Td dose.
<b>Measles, Mumps, Rubella (MMR)</b> <i>Kindergarten</i> <i>7<sup>th</sup> grade</i> <i>Grades 1-6 and 8-12</i>	<b>2 doses*</b> both on or after 1 <sup>st</sup> birthday. <b>2 doses*</b> both on or after 2 <sup>nd</sup> birthday. <b>1 dose</b> must be on or after 1 <sup>st</sup> birthday.
<b>Hepatitis B</b> <i>Kindergarten</i> <i>7<sup>th</sup> grade</i>	<b>3 doses</b> <b>3 doses**</b>
<b>Varicella</b> <i>Kindergarten</i> <i>Out-of-State Entrants</i>	<b>1 dose</b> on or after 1 <sup>st</sup> birthday or health care provider documented varicella disease or immunity. <b>1 dose</b> for children under 13 years; <b>2 doses</b> are needed if immunized on or after 13 <sup>th</sup> birthday

\* Two doses of measles-containing vaccine required. One dose of mumps and rubella-containing vaccine required; mumps vaccine is not required for children 7 years of age and older.

\*\* Two doses of the 2-dose formulation given at age 11-15 years along with provider documentation that the 2-dose formulation was used for both doses will also fulfill this requirement.

The law allows (a) parents/guardians to choose exemptions from immunization requirements based on their personal beliefs, and (b) physicians of children to elect medical exemptions. The law does not allow parents/guardians to elect an exemption simply because of inconvenience (a record is lost or incomplete and it is too much trouble to go to a physician or clinic to correct the problem). See the back of the blue California School Immunization Record (PM 286) for instructions and the affidavit to be signed by parent/guardians electing the personal beliefs exemption. For children with medical exemptions, the physician's written statement should be stapled to the CSIR.

Schools should maintain an up-to-date list of pupils with exemptions, so they can be excluded quickly if an outbreak occurs. If an outbreak of a communicable disease occurs at a school, the non-immunized student will be excluded for his/her own safety until such time as directed by health officials or district administration.

### Control of Communicable Disease (E.C. section 49403)

This district cooperates with the local health office in the control and prevention of communicable disease in school-age children. If you consent in writing, the district may permit any person licensed as a physician and surgeon, or any person licensed as a registered nurse to administer an immunizing agent to your child. You will be advised in writing before any immunization program is instituted.

### Assistance with Medication (E.C. section 49480)

If your child must take medication during the school day which is prescribed by a physician, designated school personnel may assist your child only if:

- a. The principal of your child's school receives a written statement from the physician detailing the **name of the medication**, method, amount, and time schedules by which the medication is to be taken; and
- b. Parent/**Guardian** submits a written statement indicating his/her desire that the school district assist his/her child in taking the medication; and
- c. Parent signs a release statement on a special form available from the school.

If your child is on a continuing medication regimen for a nonepisodic condition, you are required to notify the superintendent of the medication being taken, the current dosage, and the name of the supervising physician.

[Sample forms may be attached.]

### Epinephrine Medication (E.C. sections 49423 and 49423.1)

State law now allows students with doctor authorization to carry and self-administer auto-injectible epinephrine **or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount, and time schedules by which such medication is to be taken.**

### Use of Sunscreen Permitted (E.C. section 35183.5)

Students may carry and use sunscreen without a doctor's note or prescription, and may

also wear sun-protective clothing.

### Physical Examinations (E.C. section 49451)

If you want your child to be exempt from physical examinations at school, file a written statement **signed by** you with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist.

### Medical and Hospital Services (E.C. section 49472)

[The district must give notice of any medical services or insurance it provides or makes available.]

The school district does not provide insurance on individual students. However, you may purchase accident insurance through the district for medical and hospital services covering your child. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of his/her attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. A letter indicating the details of this insurance will be sent to you shortly.

### Scoliosis Screening (E.C. section 49452.5)

If your child is enrolled in grades 7 through 12, and is suspected of having curvature of the spine, please notify the school office. If your child is identified at school as having this condition, you will be notified.

### Sight and Hearing Test (E.C. section 49452)

The school district is required to provide for the testing of the sight and hearing of each student enrolled in the schools unless you submit a written denial of consent.

### Information for Use in Emergencies (E.C. section 49408)

For the protection of your child's health and welfare, we ask that you fill out and return the enclosed Emergency Information Card.

[Design and use your own form.]

### Confidential Medical Services Without Parental Consent (E.C. section 46010.1)

According to the law, school authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parents or guardian.

[You may wish to describe your district's practice at this point.]

Management Plan for Asbestos-Containing Material (40 C.F.R. 763.93)

A complete, updated management plan for asbestos-containing material in school buildings is available at each school office.

Pesticide Warnings (E.C. sections 17612 and 48980.3)

The district has implemented an integrated pest management (IPM) program designed to effectively control pests using a combination of techniques. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment may be used according to established regulations and treatment thresholds.

Pursuant to the Healthy Schools Act of 2000, the district is required to notify staff, parents, or guardians of the name of all pesticide products expected to be applied at the school facility during the upcoming year. Those products are as follows:

<u>Product Name</u>	<u>Active Ingredient</u>	<u>Pest Treated</u>
A.		
B.		
etc.		

If you wish to receive notification of individual pesticide applications at the school facility, please complete the attached registration form. You will receive notification at least 72 hours prior to the application.

Information regarding pesticide information may be obtained at web site for the California Department of Pesticide Regulation at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

\* \* \* \* \*

**SAMPLE  
PESTICIDE APPLICATION NOTIFICATION REGISTRATION**

Date: \_\_\_\_\_

Name of Parent/Guardian/Staff Member: \_\_\_\_\_

Address: \_\_\_\_\_

Name of Student: \_\_\_\_\_

School Site/Facility: \_\_\_\_\_

[optional] Please notify me by:

U.S. Mail    phone # \_\_\_\_\_    e-mail address \_\_\_\_\_

### School Safety Plans (E.C. sections 32280 et seq.)

Each school site has established a Safety Plan. Notice of the Plan details is available to the public through the district office on request, and copies are provided to local law enforcement.

## **SPECIFIC EDUCATION ISSUES**

### Instruction in Comprehensive Sexual Health Education / HIV / AIDS Prevention (EC sections 51934-51939)

Districts shall annually notify parents about instruction in comprehensive sexual health education and HIV/AIDS prevention education and research on student health behaviors and risks planned for the school year. Written and audiovisual educational materials used in such education are available for inspection. You will be notified prior to the commencement of any such instruction as to whether the instruction will be taught by district personnel or by outside consultants in class or during an assembly. A copy of the law pertaining to such instruction is available upon request from the district. You may request in writing that your child not receive comprehensive sexual health education and/or HIV/AIDS prevention education.

The law also authorizes the district to use anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions about the student's attitudes concerning or practices relating to sex. The district must notify you in writing before any such test, questionnaire, or survey is administered and provide you with an opportunity to review the test and request in writing that your child not participate.

### Right to Refrain from Harmful Use of Animals (E.C. section 32255)

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

### Excused from Instruction Due to Religious Belief (E.C. section 51240)

Whenever any part of the instruction in health or family life education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction upon your written request.

### Tests on Personal Beliefs (E.C. sections 51513 and 60614)

Unless you give written permission, your child will not be given any test, questionnaire, survey, or examination containing any questions about your child's, or your personal beliefs or practices in sex, family life, morality, or religion.

## Homeless Youth Education (42 US 11432)

[The law requires school district homeless liaisons to ensure parents of homeless students are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children.

Notification may address: (1) Liaison contact information; (2) Circumstances for eligibility (e.g., living in a shelter, a motel, hotel, etc.); (3) Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers; and (4) Right to education and other services.]

## **SCHOOL RECORDS AND ACHIEVEMENT**

Pupil Records/Notice of Privacy Rights of Parents and Students (E.C. sections 49063 and 49070; Family Educational Rights and Privacy Act ("FERPA") 34 C.F.R. Part 99)

You have a right to inspect and review your child's school records; to challenge their contents; to have an administrator assist you in interpreting the records; request amendment to ensure that they are not inaccurate, misleading, or otherwise in violation of your child's privacy rights; to have a district-level hearing to appeal the decision not to change records; and to file a complaint with the state and/or United States Department of Education if the district fails to comply with state and federal law with regard to your child's records. Except for certain exceptions, pupil records are confidential and will not be disclosed without your consent.

Please be aware, however, that when your child enrolls or intends to enroll in another district, we will send his or her records to that district. Your child's records may be shared with school officials and employees, and other persons connected with the school who have a legitimate educational interest and who may need them to perform his or her tasks. For example, pupil records may be used to identify and verify eligibility for certain services under the federal No Child Left Behind Act. For further information or assistance contact [name or title of your district's contact person] or the Family Policy Compliance Office, U. S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605.

Release of Pupil Directory Information (E.C. sections 49061(c)) and 49070)

[Parents must be notified on an annual basis of the categories of information which the school plans to release and to whom they will or may be given. Parents shall be given the opportunity to request that this information be withheld.]

The law allows schools to release "directory information" to certain persons or organizations. Directory information may include a student's name, address, telephone information, **electronic mail address, photograph, student ID number**, date and place of birth, major field of study, participation in officially recognized activities and

sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student. If you wish that the district withhold any of this information, contact the school principal.

Standards of Proficiency in Basic Skills (E.C. section 51215)

[Adapt to your district.]

Regulations Regarding Pupil Achievement (E.C. section 49067)

[Handle on an as-needed basis.]

Standardized, Norm-referenced Achievement Tests

[Give notice when applicable.]

School Accountability Report Card (E.C. section 35256)

The School Accountability Report Card is available on request and is accessible at the following internet site: [www.\[your web address here\]](http://www.[your web address here]). This contains information about the district regarding the quality of the district's programs and its progress toward achieving stated goals.

**DUE PROCESS PROTECTIONS AND COMPLAINTS**

Complaints Regarding Employees (E.C. section 35160(a)(3))

[Optional, handle according to your district's policies and needs.]

Uniform Complaint Procedures (E.C. sections 35160.5 and 56502(a), 5 C.C.R. 4610, 4622)

[The district is not required to include its entire complaint procedure. A condensed version will suffice as long as it includes the listed items below, which is offered as a sample. Review your procedure and consult with your district's designated person who processes the complaints.]

The district has established procedures to address allegations of unlawful discrimination and complaints alleging violation of state or federal laws governing educational programs.

It is unlawful to discriminate on the basis of ethnic group identification, religion, age, sex, color, or physical or mental disability.

- a. Complaints made under this procedure shall be directed to [give name(s) of the person(s) responsible for processing the claims].
- b. You may contact [name, title, place and phone number] to obtain a copy of the district's complaint procedures.
- c. In addition to this procedure you have a right to:

- (1) Direct your complaint directly to the State Superintendent of Public Instruction.
  - (2) Appeal to the State Superintendent of Public Instruction a complaint that has not been resolved to your satisfaction by the school district.
- d. In addition to this procedure, you may wish to:
- (1) Direct a complaint to appropriate agencies for investigation.
  - (2) Consult with an attorney to determine if you have legal rights that may be pursued through available civil law remedies. You may wish to contact the following low-cost or free legal services: [Note: *List ones that you deem appropriate in or nearest your community. The following are only examples, some of which you may want to list.*]

Legal Aid Foundation of Los Angeles  
 Education law Unit  
 1550 West 8<sup>th</sup> Street  
 (213) 487-3320

Greater Bakersfield Legal Assistance  
 615 California Avenue  
 Bakersfield, CA 93304  
 (661) 325-5943

California Rural Legal Assistance, Inc.  
 San Luis Obispo Office  
 1011 Pacific Street, Suite A  
 San Luis Obispo, CA 93401  
 (805) 544-7997

Legal Aid Foundation of Santa Barbara County [Main Office]  
 301 E. Canon Perdido Street  
 Santa Barbara, CA 93101  
 (805) 963-6754

Complaints Regarding Discrimination and the Education of Disabled Students (E.C. sections 56501 and 260 *et seq.*)

Our school district is committed to equal opportunity for all individuals in education. Our district programs and activities shall be free from discrimination based on sex, race, color, religion, national origin, lack of English skills, ethnic group, marital or parental status, physical or mental disability or any other unlawful consideration. The district shall promote programs which ensure that these discriminatory practices are eliminated in all district activities.

You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA). The California Department of Education and the Office for Civil Rights of the U. S. Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds.

If you wish further details in this regard, or wish to file a complaint, please contact the superintendent or other appropriate agency.

## MISCELLANEOUS

### Parental Rights: Education Empowerment Act of 1998

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

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

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

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

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

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

### Other Parental Rights

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

- a. To observe in your child's classroom (upon reasonable notice).
- b. To meet with your child's teacher and the school principal (upon reasonable notice).
- c. To volunteer your time and resources at the school.
- d. To be notified on a timely basis if your child is absent from school without permission.
- e. To be notified concerning your child's classroom and standardized test

performance.

- f. To request a specific school and teacher and to receive a response from the school district. (This does not obligate the school district to grant the request.)
- g. To have a safe learning environment for your child.
- h. To examine curriculum materials of your child's class.
- i. To be informed of your child's progress and appropriate school personnel to contact in the event of problems.
- j. To access student records for your child.
- k. To receive information concerning expectations for student learning.
- l. To be informed in advance about school rules, policies, dress codes, and procedures for visiting the school.
- m. To receive information about any psychological testing of your child and to deny permission for such testing.
- n. To participate as a member of any school site councils or parental advisory councils at the school, in accordance with governing membership.
- o. To question, and receive an answer regarding, items in your child's record that appear inaccurate, misleading, or that invade privacy.

#### Use of the Internet and/or On-Line Sites (E.C. section 48980(h))

[A school district that provides pupils with access to the Internet or an on-line service, must adopt and must include in this Notice a policy regarding access by pupils to these services that contains and makes references to harmful or obscene matter as defined by Penal Code section 313(a). Such policies should also guard the identity and pictures of individual students; prohibit the use of student e-mail or web site addresses (URL's); prohibit commercial transactions, etc.]

#### Freedom of Expression (E.C. section 48907)

[Optional, handle according to district's policy and needs.]

#### Sex Offender Information: "Megan's Law" (Penal Code section 290.4)

The Sex Offender Identification Line is a telephone service for use by the public and organizations to identify serious sex offenders. This district does not disseminate this information; however, anyone at least 18 years of age may call (900) 463-0400. You will need the following information on the person you are checking on: Name and one of the following: address, birthdate, driver's license number or Social Security number. You will be charged a flat rate of \$10 for information on up to two individuals. You may also receive information from your local law enforcement agency or view the Attorney General's Home Page at [www.caag.state.ca.us](http://www.caag.state.ca.us).

#### Tattooing or Body Piercing (Penal Code sections 19.8, 652, and 653)

[Optional]

It is a misdemeanor to tattoo or offer to tattoo a person under the age of 18. It is an infraction of the law to perform or offer to perform body piercing on a person under the age of 18, except in the presence of, or as directed by a notarized writing signed by, the parent or guardian. (This does *not* include ear piercing.)

### **School Buses/Passenger Safety (E.C. section 39831.5)**

**[Districts are required to provide safety regulations to all new students. Describe such regulations here.]**

Further Information is Available (E.C. section 48209.13, FERPA, 34 C.F.R. 99.7(b))

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office.

### **APPLICABLE TO ELEMENTARY, MIDDLE, AND UNIFIED SCHOOL DISTRICTS ONLY**

#### **HEALTH SERVICES**

Kindergarten and First Grade Physical Examination (Health and Safety Code sections 323.5, 324.2, and 324.3; E.C. sections 49450 and 49452.8)

Good health, **including good oral health**, is important to your child's learning and successful academic career. State law requires that for each child enrolling in the first grade, the parent must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. **Likewise, state law requires that by May 31<sup>st</sup> of your child's first school year in a public school, proof of an oral health assessment by a licensed dentist on your child must be presented.** You may file with the school district a written objection or waiver stating the reasons if you are unable to obtain such services. You must understand that your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. You may find it convenient to have your child immunized at the same time that the physical examination is conducted. These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHDP). For information, you may contact [name, title, place and phone number].

Vision Appraisal (E.C. section 49455)

Your child's vision will be checked by an authorized person between grades kindergarten through 8, unless you present to the school a certificate from a physician or optometrist verifying prior testing or that it violates your faith in a recognized religious belief.

Type 2 Diabetes (E.C. section 49452.7)

**[Beginning with the 2010-2011 school year, every district shall provide an information sheet regarding Type 2 Diabetes to the parent or guardian of every incoming 7<sup>th</sup> grade student. It is recommended that this information**

sheet be included in the Annual Notice to Parents/Guardians packet. Pursuant to the requirements of Education Code section 49452.7, the information sheet has been developed by the California Department of Education and can be located at:  
[http://www.cde.ca.gov/ls/he/hn/type2diabetes.asp.](http://www.cde.ca.gov/ls/he/hn/type2diabetes.asp)]

## **APPLICABLE TO HIGH SCHOOL AND UNIFIED SCHOOL DISTRICTS ONLY**

### **LUNCH**

#### **Leaving School at Lunch Time (E.C. section 44808.5)**

[Optional; use as is appropriate for your district]

The governing board of this school district, pursuant to Education Code section 44808.5, has decided to allow the pupils enrolled at the high school to leave the school grounds during the lunch period. Neither the school district nor any officer or employee shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section.

### **SCHOOL RECORDS AND ACHIEVEMENT**

#### **Release of Info to Military Services Representatives (20 U.S.C. 7908)**

Federal law requires school districts receiving assistance under the No Child Left Behind Act to provide military recruiters the same access to secondary school pupils as is provided to post secondary educational institutions or to prospective employers. Parents may request that the district not release their pupil's name, address and telephone number without prior written consent. Written notice must be submitted to the school if the parent or legal guardian wishes to deny access to this information.

#### **California High School Exit Exam (E.C. section 60850)**

Each pupil completing grade 12 shall successfully pass the California High School Exit Exam (CAHSEE) as a condition of graduation. Each pupil shall take the examination beginning in grade 10 and may take the examination each subsequent administration until he/she passes the examination. A pupil with an Individualized Educational Plan (IEP) or Section 504 Plan may take the CAHSEE with accommodations that do not fundamentally alter the nature of the test. For more information, visit:

[http://www.cde.ca.gov/ta/tq/hs/documents/cahseega08\\_003.doc](http://www.cde.ca.gov/ta/tq/hs/documents/cahseega08_003.doc).

#### **California High School Proficiency Exam (5 C.C.R. 11523)**

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of

Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>.

### **Advanced Placement & International Baccalaureate Exam Fees (E.C. sec. 52244)**

Eligible high school students may receive financial assistance to cover the costs of the advanced placement examination fees or the International Baccalaureate examination fees, or both. Please contact \_\_\_\_\_ for more information.

### **College Entrance Requirements (E.C. section 51229)**

In addition to the rights described in Education Code sections 51100-51102, students and parents have the right to be informed of college entrance requirements. It is critically important to know how to assist those students who choose to pursue a college education.

Students and parents need to know the series of college preparatory classes to take in high school. The minimum requirements vary, depending on the selected college or university. The "a-g" requirements can be summarized as follows:

- (a) History / Social Science – Two years, including one year of world history, cultures, and historical geography and one year of U.S. history or one-half year of U.S. history and one-half year of civics or American government.
- (b) English – Four years of college preparatory English that include frequent and regular writing, and reading of classic and modern literature.
- (c) Mathematics – Three years of college preparatory mathematics that include the topics covered in elementary and advanced algebra and two- and three-dimensional geometry.
- (d) Laboratory Science – Two years of laboratory science providing fundamental knowledge in at least two of these three disciplines: biology, chemistry, and physics.
- (e) Language Other Than English – Two years of the same language other than English.
- (f) Visual & Performing Arts – One year, including dance, drama/theater, music, or visual art.
- (g) College Preparatory Elective – One year (two semesters), chosen from additional "a-f" courses beyond those used to satisfy the requirements above, or courses that have been approved solely for use as "g" electives.

To gain admission to college, students must also take and submit scores from either the Scholastic Aptitude Test (SAT) or the American College Test (ACT). Your child's high school counseling office can provide the testing dates and locations.

[Also see our cover memorandum for a restatement of these posting and notice requirements.]

Future College or University (E.C. section 48980(c))

[Optional]

Because of rising costs, it is important for you to invest early for the future college or university education of your child. You may wish to consider appropriate investment options including, but not limited to, U. S. Savings Bonds.

**COLLEGE ADMISSION REQUIREMENTS;  
CAREER TECHNICAL EDUCATION  
(Education Code sections 51229, 48980):**

1. College Admission Requirements: The University of California (UC) and the California State University (CSU) have established common high school course requirements for undergraduate admission. Students who take these courses and meet other specified criteria are eligible to apply and be considered for admission. The following list is commonly referred to as the “a-g” requirements:
  - (a) History / Social Science – Two years, including one year of world history, cultures, and historical geography and one year of U.S. history or one-half year of U.S. history and one-half year of civics or American government.
  - (b) English – Four years of college preparatory English that include frequent and regular writing, and reading of classic and modern literature.
  - (c) Mathematics – Three years of college preparatory mathematics that include the topics covered in elementary and advanced algebra and two- and three-dimensional geometry.
  - (d) Laboratory Science – Two years of laboratory science providing fundamental knowledge in at least two of these three disciplines: biology, chemistry, and physics.
  - (e) Language Other Than English – Two years of the same language other than English.
  - (f) Visual & Performing Arts – One year, including dance, drama/theater, music, or visual art.
  - (g) College Preparatory Elective – One year (two semesters), chosen from additional "a-f" courses beyond those used to satisfy the requirements above, or courses that have been approved solely for use as "g" electives.
2. Websites: The following UC and CSU web sites help students and their families learn about college admission requirements, and also list high school courses that have been certified for undergraduate admission:

UC: [http://www.ucop.edu/a-gGuide/ag/a-g/a-g\\_reqs.html](http://www.ucop.edu/a-gGuide/ag/a-g/a-g_reqs.html)  
CSU: [www.csumentor.edu/planning/high\\_school/subjects.asp](http://www.csumentor.edu/planning/high_school/subjects.asp)
3. Career Technical Education: The California Department of Education defines “career technical education” as a program of study that involves a multi-year sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to post-secondary education and careers. Career technical education includes agriculture education, home economics, industrial and technology education, and regional occupational centers and programs, among other educational programs.
4. Website for Career Technical Education: Students can learn more about career technical education at the following California Department of Education website:

[www.cde.ca.gov/ci/ct/](http://www.cde.ca.gov/ci/ct/)

5. Counseling: Your child has the right to meet with a school counselor for help in choosing courses that will meet college admission requirements, or enrolling in career technical education courses, or both. If you wish to schedule a meeting with a school counselor, please contact \_\_\_\_\_.

**UNIFORM COMPLAINT PROCEDURE  
ANNUAL NOTICE**

**TITLE 5 CALIFORNIA CODE OF REGULATIONS SECTION 4620**

The district shall follow the uniform complaint procedure described below when addressing complaints alleging unlawful discrimination based on actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from state financial assistance. The uniform complaint procedure described below shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, Career Technical and Technical Education and Training Programs, child care and developmental programs, child nutrition programs, special education programs, and federal safety planning requirements. Individuals, agencies, organizations, students and interested third parties have the right to file a complaint using this procedure described below. The district shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations.

Complaints must be filed in writing with the appropriate compliance officer identified below. Complaints alleging discrimination must be filed not later than six (6) months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, unless the time for filing is extended by the Superintendent or his or her designee.

Complaints will be investigated and a written decision sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The District person responsible for investigating the complaint shall conduct and complete the investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621. If the complainant is not satisfied with the local educational agency's decision, the complainant may file within fifteen (15) days of receipt of the decision a written appeal with the California Department of Education (CDE) in Sacramento, California. The appeal to CDE must include a copy of the locally-filed complaint and a copy of the District decision.

Complainants may also pursue available civil law remedies, including, but not limited to, injunctions, restraining orders or other orders in federal or state court. Further information about such remedies may be available through a public or private interest attorney, the County Lawyer Referral Service, Legal Aid Society, a mediator, or dispute resolution service.

A copy of the District's policy and complaint procedures may be obtained, free of charge, through the Superintendent's office.

Name and Title of Compliance Officer:

Address:

Telephone Number: