

PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES

State law requires that parents be notified of their rights and responsibilities in certain matters pertaining to their children's education.

- 1. 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. (Ed. Code, § 46014)
- 2. COMPREHENSIVE SEXUAL HEALTH EDUCATION AND HIV/AIDS PREVENTION EDUCATION:** Parents may request in writing that their child not receive comprehensive sexual health education or HIV/AIDS prevention education. Parents 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 Education Code section 51938. Every child's parent 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 have a right to request that the District provide them with a copy of Education Code sections 51933 and 51934.
- 3. EXCUSE FROM INSTRUCTION IN HEALTH:** Upon written request of a parent, a pupil may be excused from any part of instruction in health which conflicts with the parent(s)' religious training or beliefs (including personal moral convictions). (Ed. Code, § 51240)
- 4. ADMINISTRATION OF MEDICATION:** Medication prescribed by a physician for a child may be administered during the school day by a registered nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician. Forms for administering medication may be obtained from the school secretary. (Ed. Code, §§ 49423, 49423.1, 49423.5, 49480)
- 5. STUDENTS ON MEDICATION:** Parents are to notify the principal if their child 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. With parental consent, the principal or school nurse may confer with the physician regarding possible effects, omission or overdose and counsel with school personnel as deemed appropriate. (Ed. Code § 49480)
- 6. IMMUNIZATIONS:** The District shall exclude from school any pupil who has not been immunized properly. Pursuant to Health & Safety Code section 120325, a parent may consent in writing for a physician, surgeon, or registered nurse acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. (Ed. Code §§ 48216, 48980(a), 49403)
- 7. PHYSICAL EXAMS AND TESTING:** The District is required to conduct certain physical examinations and vision, hearing and scoliosis testing of students unless the parent has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code, §§ 49451, 49452, 49452.5, and 49455, Health & Safety Code, § 124085)
- 8. 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 the student's parent or guardian. (Ed. Code, § 46010.1)
- 9. 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, 49471)

10. SERVICES FOR STUDENTS WITH EXCEPTIONAL NEEDS OR DISABILITY: 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 from whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education 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. (Sections 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:

**NANCY ARNOLD
SCHOOL COUNSELOR
6300 NORTH CYPRESS
WINTON, CA 95388
(209) 357-6189**

11. NO ACADEMIC PENALTY FOR EXCUSED ABSENCE: 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 tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, §§ 48205, 48980(j))

A pupil shall be excused from school when the absence is:

- (1) Due to his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- (4) 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.
- (5) Due to illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
- (6) For justifiable personal reason, 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, or attendance in court, 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 designated representative pursuant to uniform standards established by the governing board.
- (7) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.

A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence. For Purpose of this section, attendance at religious retreats shall not exceed four (4) hours per semester.

"Immediate Family", as used in this section refers to mother, father, grandmother, grandfather, grandchild of the pupil or of the spouse of the pupil, and the spouse, son, son in-law, daughter, daughter in-law, brother, or sister of the pupil or any relative living in the immediate household of the pupil. (Ed. Code, § 48205)

12. 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.) Inquires on all matters including complaints, regarding the implementation of Title IX in the district may be referred to the district official listed below at the following address and telephone:

**RANDALL HELLER
7000 N. CENTER ST., P.O. BOX 8
WINTON, CA 95388**

13. COMPLAINTS (Special Education): Parents 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 believes special education programs for handicapped do not comply with state or federal law or regulations and file with the district official listed below at the following address and telephone:

**RANDALL HELLER
7000 N. CENTER ST., P.O. BOX 8
WINTON, CA 95388**

(Cal Code Regs. tit. 5, § 4630)

14. RELEASE OF STUDENT INFORMATION: The District does not release information or records concerning a child to non educational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. The following categories of directory information may be made available to various persons, agencies or institutions unless the parent or guardian notifies the district in writing not to release such information:

Name, address, telephone, date and place of birth, major field of study, class schedule, class roster, photographs, participation in officially recognized activities and sports, weight and height of member of athletic teams, dates of attendance, diplomas and awards received, and the most recent previous educational institution attended.

(Ed. Code, §§ 49060 et seq., 49073, 20 U.S.C. § 1232g, 34 C.F.R § 99.7)

15. INSPECTION OF STUDENT RECORDS: State law requires that the district notify parents 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 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's records.
- c. A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's records 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 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 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 may appeal the decision to the Governing Board with the (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the, 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, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. The statement shall become a part of the student's school record until such time as the information objections is removed.

Both the superintendent and the board have the option of appointing a hearing panel in accordance with Educational 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 Record Log** is maintained for each student. The **Student Record Logs** 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 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 or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A "legitimate education 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 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. § 1232 (g))
- h. Parents may obtain a copy of the district's complete student records policy by contacting the superintendent.

16. FAMILY EDUCATIONAL RIGHTS PRIVACY ACT: In addition parents have certain rights regarding student information and records which are guaranteed under federal law. A handout notifying parents of these rights is attached.

17. STUDENT DISCIPLINE: District and school rules pertaining to student discipline are available to parents or guardians of district students in the school office. (Ed. Code, § 35291)

18. 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 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 knowledge, information experience required by the course of study. (Ed. Code, §§ 32255-32255.6)

19. TEMPORARY DISABILITY: A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence, shall be deemed to comply with the residency requirements of the school district in which the hospital is located. (Ed. Code, §§ 48206.3, 48207, 48208, 48980 (b))

20. STUDENT RESIDENCY: A student may be enrolled in the District if (1) the student's parents, 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) he or she is an emancipated student who lives within the district; (4) the student who 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 (Ed. Code, 48204).

21. ATTENDANCE OPTIONS: All districts must inform parents 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 district are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the district which the parent lives (intradistrict transfer), and three separate processes for selecting schools in other districts (interdistrict transfer). (Ed. Code § 48980 (h). Attached is a copy of the District's Policy of Interdistrict and Intradistrict Transfers. Parents interested in interdistrict or intradistrict transfers should contact the district office. The general requirement and limitations of each process are described as follows:

a. **CHOOSING A SCHOOL WITHIN DISTRICT IN WHICH PARENT LIVES:** The law Education Code section 35160.5 (b) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend regardless of where the parent 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 on 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 voluntarily 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 does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

b. **CHOOSING A SCHOOL OUTSIDE DISTRICT IN WHICH PARENT LIVES:** Parents have three different options for choosing a school outside the district in which they live. The three options are:

i. **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 Educational Code sections. The school board of a district that decides to become a "district of choice" must determine the number of students it is willing to accept in this category each year and make sure that the students are selected through a "random and unbiased" process. If the district chooses not to become a "district of choice," a parent may not request a transfer under these provisions. Other provisions of the "district of choice" option include:

- Either the district a student would transfer to or the district a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Siblings of students already attending school in the "district of choice" must be given transfer priority.
- A parent may request transportation assistance within the boundaries of the "district of choice." The district is required to provide transportation only to the extent it already does so.

ii. **OTHER INTERDISTRICT TRANSFERS:** (Ed. Code, §§ 46601.5-46611); the law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The

agreements 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. The law on interdistrict transfers also provides for the following:

- Both the school district a parent is requesting a transfer to and the one a parent is transferring from are encouraged to take into consideration the childcare needs of the student. If the transfer is approved based on childcare needs, the student may be allowed to stay in the new district or the high school district to which it feeds through the 12th grade, subject to certain conditions.
- If either district denies a transfer request, a parent 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.

iii. “ALLEN BILL” TRANSFERS (Ed. Code, § 48204 (b): The 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 if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions of Ed. Code, 48204 (b) include:

- Either the district in which the parent (or legal guardian) lives or the district in which the parent (or legal guardian) physically works may prohibit the student’s transfer if it determined that there would be a negative impact on the district’s desegregation plan.
- The district in which the parent (or legal guardian) physically works may reject a transfer it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district that declines under a law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent the specific reasons for denying the transfer.

22. SEXUAL HARASSMENT POLICY: Each student will receive a written copy of the district policy on sexual harassment. 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. A copy of the District’s policy on sexual harassment is attached. (Ed. Code, §§ 231.5, 48980(g))

23. NOTICE OF ALTERNATIVE SCHOOLS: California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Educational 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 the student’ desire to learn.
- c. Maintain a learning situation maximizing student self-motivation and encouraging the student in his or her own time to follow his or her own interests. These interests may be convicted by the student totally and independently or may result in whole or in part from a presentation by the student’s teachers of choices of learning projects.
- d. Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous permanent process.
- e. Maximize the opportunity for the students, teacher, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative school, 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 the parent 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)

24. NUTRITION PROGRAM: The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest of children. In some instances, nominal cash payments may be required. (Ed. Code, §§ 48980(b), 49510 et seq.)

25. U.S. DEPARTMENT OF EDUCATION PROGRAMS: 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, 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 the 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 receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an emancipated minor, without the prior written consent of the parent (20 U.S.C. § 1232h)

26. FINGERPRINT PROGRAMS: With the written consent of the parent or guardian, kindergarten or newly enrolled students may be fingerprinted. The fingerprint document may not be retained by the district but must be delivered to the parent or guardian. A fee shall be charged to the parent or guardian to reimburse the district for its actual cost. (Ed. Code, § 32390, 48980(f))

27. UNIFORM COMPLAINT PROCEDURES

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), gender (includes gender identity and gender related appearance and behavior whether or not associated with the person's assigned sex at birth), nationality (includes citizenship, country of origin and national origin), 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), or the perception of one or more of such characteristics. (Ed. Code, §§210-214, 220 et seq., 66260-66269, 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., 34 C.F.R § 106.9)

The district has written complaint procedures which may be used in cases where individuals have suffered discrimination on the basis of actual or perceived sex, sexual orientation, ethnic group identification, 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 he/she has personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs., 5, § 4630(b)(1))
- 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 refused to respond to the State Superintendent's request for information regarding a complaint originally filled with the district.

c. Complaints must be filed within six (6) months of the date the alleged discrimination occurred, or within six (6) months of the date complainant first obtained knowledge of the alleged discrimination. Within that six (6) month period, complainant may file a written request with the State Superintendent of Public Instruction for an extension of up to ninety (90) days. Extensions will not be automatically granted, but may be granted for good cause. (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 and 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) Child Care and Development
- (6) Child Nutrition
- (7) Special Education

(Cal. Code Regs., tit. 5, §§ 4610(b), 4630)

b. Complaints must usually be filed with the administrator/superintendent of the LEA. However, complaints may be filled directly with the State Superintendent of Public Instruction in the following cases:

- (1) Complaints alleging that the district failed to comply with the complaint procedures described herein.
- (2) Complaints regarding Child Development and Child Nutrition programs not administered by the district.
- (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 district level.
- (4) Complaints alleging that the district failed or refused to implement 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) Complaints relating to Special Education, but only if:
 - (a) District unlawfully refuses to provide a free appropriate public education to handicapped students; or
 - (b) District refuses to comply with due process procedures or fails to implement due process hearing order; or
 - (c) Children may be in immediate physical danger, or their health, safety or welfare is threatened; or
 - (d) A handicapped pupil is not receiving the services specified in his/her Individual Educational Program (IEP); or
 - (e) The complaint involves a violation of federal law.

(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)

c. Williams Settlement Complaints: Complaints including anonymous complaints, may be made and addressed on a shortened time line for the following areas: (Ed. Code 35186)

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

RESPONSIBLE OFFICIAL: The district official responsible for processing complaints is listed below at the following address:

**RANDALL HELLER
7000 N. CENTER STREET
WINTON, CA 95388**

APPEALS:

- a. If a complaint is denied, in full or in part, by the district, the complainant may appeal to the State Superintendent of Public Instruction. (Ed. Code. § 262.3 (a), Cal. Code regs. tit. 5, § 4632)
 - (1) Appeals must be written within fifteen (15) days of receiving the district decision. Complainant may, within that fifteen (15) day period, file a written request for an extension. Extensions will not be automatically granted, but may be granted for cause.
 - (2) Appeals must be in writing.
 - (3) Appeals must specify the reason(s) for appealing the district decision.
 - (4) Appeals must include a copy of the original complaint and a copy of the district decision.

- b. If a complaint is denied, in full or in part, by the State Superintendent of Public Instruction, the complainant may request reconsideration by the Superintendent. (Cal. Code Regs., tit 5, § 4665)
 - (1) Reconsideration must be requested within thirty-five (35) days of receiving the State Department of Education report.
 - (2) The original 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, complaints 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)

- 28. PUPIL-FREE STAFF DEVELOPMENT DAY AND MINIMUM DAY SCHEDULE:** A copy of the district's pupil-free staff development day and minimum day schedule is attached for reference. A pupil'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. (Ed. Code, §48980 (c))

- 29. REVIEW OF CURRICULUM:** A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for parent review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code §§ 49063, 49091.14)

- 30. CHILD FIND SYSTEMS; POLICIES AND PROCEDURES:** Any parent 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 of their rights pursuant to Education Code section 56300 et seq. (Ed. Code, 56301; 34 C.F.R. § 104.32 (b))

- 31. SCHOOL ACCOUNTABILITY REPORT:** Parents/guardians may request a hard copy of the School Accountability Report Card, which is issued annually for each school of the district (Ed. Code 35256)

- 32. ASBESTOS MANAGEMENT PLAN:** An updated management plan for asbestos-containing material in school buildings is available at the district office. (40 C.F.R. § 763.93)

- 33. AVAILABILITY OF STATE FUNDS TO COVER COSTS OF ADVANCED PLACEMENT EXAMINATION FEES:** School districts may apply to the State Department of Education for grant funding to assist economically disadvantaged pupils pay for advanced placement examination fees. School districts that apply for these grants must designate specific school district staff to which pupils may submit applications for grants and must institute a plan to notify pupils of the availability of financial assistance. A copy of the district's notification of these grants monies, if applicable, is attached. (Ed. Code, § §48980(k) and 52244)

34. NO CHILD LEFT BEHIND ACT OF 2001: Under the NCLB, parents have the following rights:

- **Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides:** Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects s/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether s/he has any advanced degrees and the subjects of those degrees, and whether any instructional aides or paraprofessionals provide services to the parents' child and, if so, their qualifications. Districts shall also notify parents if their child has been assigned to or has been taught for 4 or more consecutive weeks by a teacher who is not highly qualified.
- **Information Regarding Individual Student Reports on Statewide Assessments:** Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.
- **Limited English Proficient Students:** The Act requires prior notice be given to parents of limited English proficient students regarding limited English proficiency programs, including the reasons for the identification of the student as limited English proficient, the need of 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 available, how the recommended program 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.
- **Program Improvement Schools:** Parents shall be notified when their child's school is identified a "program improvement" school and the opportunities for school of choice and supplemental instructions.

The information provided above is available upon request from your child's school or the district office. Additional notices that may be required under the **No Child Left behind Act** shall be sent separately. (20 U.S.C. §§ 6301 et seq.)

35. CHILDREN IN HOMELESS SITUATIONS: Each local district shall appoint a liaison for homeless children who ensure the dissemination of public notice of the educational rights of students in homeless situations (42 U.S. C. § 11432 (g)(1)(J)(ii), (g)(6)).

36. SEX EQUITY IN CAREER PLANNING: Parents 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 to participate in counseling sessions and decisions. (Ed. Code § 221.5 (d)).

37. PESTICIDE PRODUCTS: All schools are required to provide parents or guardians with annual written notice of expected pesticide use at school. The attached list provides the name of each pesticide product, the active ingredient(s) and the internet address for further information. Parents or guardians may request prior notice of individual pesticide applications at the school. If a parent wishes to be notified every time a pesticide is going to be applied, he or she must complete the attached form and return it to his or her child's school. (Ed. Code, §§ 48980.3, 17612)

ACKNOWLEDGEMENT OF PARENT OR GUARDIAN OF ANNUAL RIGHTS NOTIFICATION

Detach, sign, and return this page to your child's school indicating you have received the Parent Notice of Rights and Responsibilities. Also, where specified on this page, indicate whether you have a child on continuing medication and if you do not wish directory information to be released.

STUDENT'S NAME: _____

SCHOOL: _____ GRADE: _____

STUDENT IS ON A CONTINUING MEDICATION PROGRAM: (PLEASE CHECK ONE) YES _____ NO _____

IF YES, YOU HAVE MY PERMISSION TO CONTACT STUDENT'S PHYSICIAN:

PHYSICIAN'S NAME: _____ TELEPHONE: _____

MEDICATION: _____ DOSAGE: _____

MEDICATION: _____ DOSAGE: _____

If you do not wish directory information released, please sign where indicated below and return to the school office within the next 30 days. Note that this will prohibit the District from providing the student's name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

Do NOT release directory information regarding _____
(Pupil's Name)

Check if an exception may be made to include student's information and photos in the yearbook.

I hereby acknowledge receipt of information regarding my rights, responsibilities, and protections.

Signature of Parent or Guarding: _____ Date: _____

**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 within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) 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 amendment of the student's education records that the parent or eligible student believes is inaccurate or 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 the parent or eligible student of the 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 disclosures 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, 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 his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or 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 failure by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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