

LAS LOMITAS ELEMENTARY SCHOOL DISTRICT

NOTICE TO PARENTS OF LEGAL RIGHTS

The California Education Code 48980 requires that parents be notified each year of certain legal rights and responsibilities regarding their children's participation in school activities. The statements below summarize state law and serve as the official notification. Please check with the school principal if you have questions about a specific item.

Please return the signed Acknowledgments form by August 28 and retain this notice for your future reference. The law requires you to sign a form indicating you were provided this information.

Your signature on the form is only an acknowledgement that you received this notification. It does not signify your consent to any of the activities or your withholding of consent.

Education Code Sections

221.5 Prohibited Sex Discrimination: Parents are to be advised that: (a) It is the policy of the state that elementary and secondary school classes and courses, including nonacademic and elective classes and courses, be conducted, without regard to the sex of the pupil enrolled in these classes and courses. (b) No school district shall prohibit any pupil from enrolling in any class or course on the basis of the sex of the pupil, except a class in sex education (subject to Section 51550). (c) No school district shall require pupils of one sex to enroll in a particular class or course, unless the same class or course is also required of pupils of the opposite sex. (d) No school counselor, teacher, instructor, administrator, or aide shall, on the basis of the sex of a pupil, offer vocational or school program guidance to pupils of one sex which is different from that offered to pupils of the opposite sex, or in counseling students, differentiate career, vocational or higher education opportunities on the basis of the sex of the pupil counseled. Any school personnel acting in a career counseling or course selection capacity to any pupil shall affirmatively explore with the pupil the possibility of careers, or courses leading to careers, that are nontraditional for that pupil's sex. The parents or legal guardian of the pupil shall be notified in a general manner at least once in the manner prescribed by Section 48980, in advance of career counseling and course selection commencing with course selection for the seventh grade so that they may participate in the counseling sessions and decisions. (e) Participation in a particular physical education activity or sport, if required of pupils of one sex, shall be available to students of each sex.

231.5 Reporting Sexual Harassment: It is the stated policy of the State of California that all persons, regardless of their sex, should enjoy freedom from discrimination of any kind in the educational institutions of the state. In furtherance of that policy, each district should have a written policy regarding sexual harassment. The policy must contain information on where to obtain the specific rules and procedures for reporting charges of sexual harassment and for pursuing available remedies, as it relates to pupils. (See LLESD Board Policy 5145.7.)

32051 Hazing; prohibition; violation; misdemeanor: No student, or other person in attendance at any public, private, parochial, or military school, community college, college, or other educational institution, shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person attending the institution.

Per Education Code 48900 (q) Hazing is now also a basis for suspending or expelling a student.

32255 Use of Animals: Requires that the parents or guardians of all pupils registered be notified of the right of a pupil to refrain from the harmful or destructive use of animals in a course. Teachers utilizing animals or animal parts as part of their course work are required to inform pupils enrolled in that course of that right. A teacher may work with such a student to develop and agree upon an alternative education project.

32286 Comprehensive School Safety Plan: Each school is required to report on the status of its school safety plan, including a description of its key elements in the annual school accountability report card prepared pursuant to sections 33126 and 35256. A mandatory component of the school safety plan is a discrimination and harassment policy. You may see the Safety Plan on the District's website. In addition, EC 35294.21 authorizes "complaint of noncompliance" with the School Safety Plan.

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

32289 Uniform Complaint Procedures: Filing of Uniform Complaint forms for noncompliance with school safety planning requirements of Title IV of the *No Child Left Behind Act* is authorized.

35183.5 Sun Protective Clothing: Schools shall allow students to wear sun protective clothing, including hats, whenever the students are outdoors during the school day. Each school site may adopt a policy regarding the type of sun protective clothing that is permissible. Each school site shall allow pupils the use of sunscreen during the school day without a physician's note or prescription.

35186 Supplemental Uniform Complaint Procedure: In compliance with the Williams settlement, districts must establish policies and procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that may pose a threat to the health and safety of students or staff, and teacher vacancy or misassignment. Districts are required to use Uniform Complaint Procedures to identify and resolve any such complaints. Las Lomas Elementary School District Board Policy / Administrative Regulations 1312.3 & 1312.4 meet the requirements of this provision.

35256 Accountability Report Card: Parents or guardians must be notified that upon request, they are entitled to a copy of a School Accountability Report Card (SARC). (See the District's website.)

35291, 35291.5, 35291.7 Discipline Rules: Requires that parents or guardians of all pupils registered be notified of the availability of the district's rules for discipline. (See Student Handbook for each school.)

39831.5 School Buses: Passenger Safety: Requires that parents or guardians of pupils not previously transported in a school bus shall receive written information on school bus safety as specified. (See Student Transportation Rules, Consequences & Regulations)

44807 Duty Concerning Conduct of Pupil: Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

46010.1 Confidential Medical Services: The governing board of each school district is required to notify the parents or guardians of all pupils, and the pupils themselves in grades 7 through 12, that school authorities may excuse pupils in those grades from school for the purpose of obtaining confidential medical services without the consent of the pupil's parents or guardians.

46014 Release for Religious Instruction: A school district may adopt a policy permitting pupils to be absent for religious exercises or instructions, with written consent. (The Las Lomas Elementary School District has not adopted such a policy.)

48000 Kindergarten Admission When Five Years Old: Requires applicant parent to be informed of effects, advantages, and disadvantages of early kindergarten entry.

48070.5(e), 48980(g) Promotion/Retention of Pupils: Parents are to be notified as early in the school year as practicable when a pupil is identified as being at risk of retention.

48201 Removal to Another District; Transfer of Disciplinary Records: When a pupil transfers to a new school district, the new school district shall request that the former school district provide any records, including law enforcement records, regarding acts that resulted in the pupil's suspension or expulsion from the school district. The receiving school district shall inform all of the transferring pupil's teachers of the suspension and/or expulsion and the act that resulted in the discipline.

48204(f), 48980(i) Residency Based on Parent Employment (Allen Bill): In school districts that have adopted such a policy, elementary and unified school district pupils whose parent/guardian is employed within the boundaries of a school district other than that of their residence, may apply for a transfer to the non-residence, employment-based school district. Currently, the Las Lomitas District has a moratorium on such transfers, due to available space and the class size reduction program.

48205 Excused Absences: Requires notice that when parents or guardians request it in writing, pupils shall be excused from school for justifiable personal reasons including, but not limited to, court appearances, religious observances, employment conferences, etc., when approved in advance according to governing board policy. Amended to include as an excused absence attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization. Pupils absent under this section are also allowed to make up assignments and tests missed during the absence. No pupil may have his or her grade reduced or lose academic credit for any absence excused under this section when missed assignments and tests are satisfactorily completed within a reasonable period of time. (Full text of this Education Code section is attached, as required, to this document.)

48206.3 Temporary Disabilities: Requires that parents or guardians are to be notified that a pupil will receive individual instruction when a temporary disability exists which makes attendance impossible or inadvisable in the regular day classes or alternative education program in which the pupil is enrolled. (*Temporary disability* means a physical, mental, or emotional disability incurred while a pupil is enrolled, after which the pupil can reasonably be expected to return to his or her regular class assignment. This section does not cover students with exceptional needs pursuant to Section 56026.)

48207, 48208 A pupil with a temporary disability who is in a hospital or other residential health facility, except a state hospital, located outside of the school district in which the pupil's parents or guardian reside, shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located; it is the responsibility of the parent or guardian to notify the school district of the pupil's presence in a qualifying hospital.

48216 Immunization Requirements and Procedures: Requires districts and the County Office of Education to exclude pupils from attendance when immunization requirements are not met. Requires districts and the County Office of Education to refer parents or guardians to the usual sources of medical care to obtain such immunizations. Requires notification of such requirements as established by the County Health Department for compliance. The governing board and the County Office of Education shall notify parents that they have two weeks to supply evidence either that the pupil has been properly immunized or that the pupil is exempt pursuant to sections 120365 or 120370 of the Health and Safety Code.

48900(r) Student Discipline, Bullying: Amends the disciplinary provision of the Education Code to include discipline for a student who engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.

48900.4 Additional Grounds for Suspension or Expulsion: Students may be suspended or expelled for acts of harassment, threats or intimidation against pupils and/or school personnel.

48980(a), 51930 Annual Notification Requirements: Requires that parents are notified under the Sexual Health and HIV/AIDS Prevention Education Act per Education Code Section 51938 that a pupil has a right to be excused from sexual education and HIV/AIDS prevention education.

48980(b) Availability of Individualized Instruction: The notification shall advise the parent of the availability of individualized instruction as prescribed by Section 48206.3 et seq. (Pupils with temporary disabilities).

48980(c) Notification of Minimum Days and Pupil-Free Staff Development Days: Requires that parents are notified no later than one month before scheduled minimum or pupil-free staff development days.

48980(e), 44277, 44239.1, 44239.2 High School Exit Examination: Beginning with the 2005-06 school year, students must pass a state-mandated examination prior to graduation from high school. Students who do not demonstrate sufficient progress toward passing the examination must be offered remedial summer school in-

struction.

48980(g) Required Written Policy on Sexual Harassment: The notification shall include a copy of the district's written policy on sexual harassment established by Section 231.5. (See LLESD Board Policy 5145.7.)

48980(h) Attendance Options: Requires districts to notify parents of all current statutory attendance options and local attendance options. (See LLESD Board Policy 5111 and Board Policy 5117.)

48980(j) Grade Reduction/Loss of Credit: Requires districts to advise parents that no pupil may have his/her grade reduced or lose academic credit for any absence or absences excused pursuant to Section 48205 when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

48980.3 Pesticides: School districts shall provide information to parents regarding pesticides. (See *Information for Parents & Guardians*)

48981 Times and Means of Notification: The notice shall be sent at the time of registration for the first semester or quarter of the regular school term. The notice may be sent by regular mail or by any other method normally used to communicate with the parents or guardians in writing.

49063 Access to Student Records: Notice to parents or guardians of their right of access to their student's records is required to be sent home together with the Education Code Section 48980 annual notice. The notice should contain a summary of the types of records and information maintained by the district, the position of the official responsible for the maintenance of the records, the location of the log or record of access maintained by the district, the district's criteria for defining legitimate education interest, the policies of the district for reviewing and expunging those records, the procedure for challenging the records, and the cost for copies.

The notice must also advise the parents or guardians of the right to file a complaint with the United States Department of Health, Education, and Welfare concerning an alleged failure by the district to comply with the law regarding student records.

49069 Access to Student Records: Per Education Code section 49069, when parents request student records, those records must be provided in five business days.

49073 Release of Directory Information: Requires governing boards to adopt policies identifying directory information. Requires informing parents of contents of policy and shall allow parents to preclude release. (See *Emergency Card*)

49403 Immunization Programs: If the district is cooperating at any time with local health officials in a program to control a communicable disease by instituting a school immunization program, parents or guardians must be advised of the program and must consent, in writing, before the student may be immunized.

49423 Administration of Medication: If a pupil is required to take prescribed medication during the regular school day, the student will be assisted by a designated school person if the district is requested to render such assistance and the doctor supplies the district with a written statement detailing the method, amount, and time schedules by which such medication is to be taken. Under certain specified conditions, some students may be authorized to self-administer auto-injectable epinephrine at school. Board Policy 5141.2.1 outlines the procedures.

49423.1 Inhaled Asthma Medication: Under certain specified conditions, school personnel may assist pupils or some pupils may be authorized to self-administer inhaled asthma medication at school.

49451, 49452, 49452.5 Annual Physical: If a district requires an annual physical examination of students, Section 49451 provides that if the parents or guardians object to the school giving the student a physical examination or a scoliosis test, or sight or hearing test, the parents or guardians must file annually with the principal of the school a letter to that effect.

49452.8 Pupil Health, Oral Health Assessment: Students enrolled in kindergarten (or first grade, if not previously enrolled in kindergarten in a public school) must present proof of having received an oral health assessment by a licensed dentist within the last 12 months prior to initial enrollment. This documentation must

be presented no later than May 31 of the school year.

49472 Medical and Hospital Services Insurance: Where applicable, advise parents of availability of insurance for medical and hospital services needed for student injuries while involved in student-related activities. (Las Lomitas District does make this information available to families.)

49480 Continuing Medication Regimen: Parents or guardians must be notified that they are required to inform the school nurse or designated certificated school employee if their child is on a continuing medication regimen for a non-episodic condition. They must identify the medication which is being taken, the dosage, and the name of the supervising physician so that district personnel may familiarize themselves with possible effects of the drug on the child's physical, intellectual and social behavior, as well as watch for symptoms of adverse side effects.

49510 – 49520 Low-Cost Meals: Parents or guardians are to be notified of the availability of low-cost nutritious meals for needy children. (See separate annual notice in this packet.)

51201.5(d) Instruction on AIDS and AIDS prevention, Grades 7-12 Inclusive: At the beginning of the school year or upon each new student enrollment, each parent shall be notified of the purpose of AIDS prevention instruction and of their right to request copies of Sections 51201.5 and 51552 related to AIDS prevention instruction. The notice shall further specify that any parent may request that his/her child not receive AIDS prevention instruction. The complete text of 51201.5(d) and 51553, including specific notification requirements for use of an outside agency/guest speaker for AIDS prevention instruction shall be made available to parents upon request.

51240 Family Life Education: Parents or guardians are to be notified that, upon written request, their pupil will be excused from any part of Health, Family Life Education, and Sex Education where it conflicts with the religious training, beliefs, and personal moral convictions of the parents or guardians.

51550 Sex Education Courses: If the district offers classes in which human reproductive organs and their functions and processes are described, illustrated, or discussed, the parents or guardians of each pupil enrolled in such classes shall first be notified in writing of the class and an opportunity shall be provided to request in writing that his or her child not attend. The request is good for one year, but may be withdrawn. The written or audio-visual material to be used shall be available for inspection by the parents or guardians at reasonable times and places prior to the holding of the course.

51554 Instruction on Sexually Transmitted Diseases/AIDS; Provided by Outside Agency/Guest Speaker: No pupil shall receive instruction on sexually transmitted disease, AIDS, human sexuality or family life in an assembly setting by a teacher employed by the district or instruction in any setting by an outside agency or guest speaker unless the pupil's parents have been properly notified as specified.

51555 Instruction on Sexually Transmitted Diseases, AIDS, Human Sexuality or Family Life: Kindergarten – Grade 6 Inclusive: Requires notification to parents regarding instruction on human sexuality, AIDS, etc., including the right to request copies of Sections 51201.5 and 51553, related to AIDS prevention instruction.

51820 Venereal Disease Education: The parent or guardian of each pupil enrolled in a venereal disease education program shall be notified in writing fifteen (15) days prior to the commencement of the instructional program and of her/his right to inspect the instructional material to be used and of her/his right to request in writing that her/his child not participate.

56020 et seq. Special Education Needs: Parents or guardians are to be notified that every individual with exceptional needs who is eligible to receive education instruction, related services, or both, will receive such services at no cost to the parents or guardians.

56301 Child Find Systems: Every district, SELPA, or county office is required to establish written policies and procedures for a continuous child-find system which addresses the relationship among identification, screening, referral, assessment, planning, implementation, review, and the triennial assessment.

HSC § 104495 Tobacco Free Campus: Smoking or the use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground, except on a public sidewalk, is prohibited.

PC § 12550 Imitation Firearms: It is a criminal offense to openly display or expose any imitation firearm, including BB devices, in a public place.

California Government Code, Title 5 Sections

300 Duties of Pupils: Pupils are required to conform to school regulations; obey all directions; be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language.

3080 – 81 Uniform Complaint Procedure: Special Education: Anyone who has a concern that the District may not have acted in compliance with any of the state or federal laws governing special education may file a complaint against the District. Procedures for filing a complaint are available at each school and from the Director of Student Services.

4622 & 4630 Uniform Complaint Procedures: The District must notify parents of the complaint procedures. (See LLESD Board Policies 1312.3 & 1312.4) Violations of state and federal laws prohibiting discrimination in district programs may be reported to the Superintendent's office.

Federal Laws

1) AHERA

763.93 The District's management plan regarding asbestos is available at the Business Office.

2) IDEA Act (20 USC §1400 et seq.) Special Education: Requires districts to inform parents of federal law which requires that a free and appropriate education in the least restrictive environment be offered to qualified handicapped pupils.

3) Megan's Law (PC290.4)

Information about sex offenders who may be in the community is not available through the District, but may be obtained from local law enforcement agencies.

4) No Child Left Behind (NCLB) Act of 2001

The No Child Left Behind Act of 2001 gives parents the right to request information regarding the professional qualifications of their child's teacher, including:

- Whether the teacher has met state credential or license criteria for grade level and subject matter taught
- Whether the teacher is teaching under emergency or other provisional status
- The baccalaureate degree major of the teacher and any other graduate certification or degree held
- Whether the child is provided services by paraprofessionals, and if so, their qualifications

Parents must also be notified if their child is taught for 4 consecutive weeks by a teacher who is not "highly qualified" (credentialed in the State of California).

5) Rehabilitation Act of 1973 §504 Handicapped Pupils: Requires notice of nondiscrimination on basis of sex, handicap, race, color, national origin, or lack of English skills. Notice must include availability of reasonable accommodation for handicapped pupils.

- 6) **Title VI Civil Rights Act of 1964 & Title IX Educational Amendment Act of 1972** Discrimination Requires implementation of specific and continuing steps to notify students and parents that the school district does not discriminate on the basis of race, color, national origin, sex or handicap. Requires notification in native language if service area contains a community of minority persons with limited English language skills. Notification must state that district will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs.

Health and Safety Code

124100 Child Health and Disabilities Prevention Program: Requires notice to parents of kindergarten and first grade children of the requirement for physical examination for first grade enrollment and availability of free health screening through their local health department. Requires up to five days exclusion from school for failure to comply or sign a waiver.

Notice of Possible Exclusion for Lack of Required Immunization and/or Health Exam Requirements:

To protect the health of children, California Health and Safety Code requires that every child entering a California school be immunized against polio, diphtheria, tetanus, measles, rubella, mumps and hepatitis B. Children may be excluded from further attendance if evidence is not presented that the necessary immunizations have been completed.

California law also requires a health examination on school entry. Children must have health exams within 18 months of first grade or 90 days after entering. Reports of Health Examination for School Entry (Form PM 171A) are taken by the parents to the health care providers for documentation of the health exams and immunizations.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records.
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file with the U.S. Department of Education a complaint concerning alleged failures by the District to comply with the requirements of FERPA.
5. The right to obtain a copy of the District's student records policy. You can obtain a copy of the policy from the school office. (See BP/AR 5125)

Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires the Las Lomas Elementary School District to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;

6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings.

EDUCATION CODE 48205

- (a) Notwithstanding Section 48200, 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, optometrical, 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) For the purpose of jury duty in the manner provided for by law.
 - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
 - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil’s absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) “Immediate family,” as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to “employee” shall be deemed to be references to “pupil.”

Si Ud. no entiende este documento en inglés y necesita ayuda, por favor llame a la Señorita Olivia Bettencourt a la oficina de Las Lomitas.

(854-5900)