

SAN MARCOS UNIFIED SCHOOL DISTRICT

# ANNUAL NOTIFICATION

## 2019-20 School Year

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The San Marcos Unified School District ("District") is required to annually notify pupils, parents, and guardians of their rights and responsibilities, pursuant to California Education Code 48980.

An acknowledgment of receipt of this notice must be signed by the parent or guardian and returned to the school as required by Education Code 48982.

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**San Marcos Unified School District**  
255 Pico Avenue, Suite 250  
San Marcos, CA 92069  
(760)752-1299    [www.smusd.org](http://www.smusd.org)

Governing Board:   Stacy Carlson   Victor Graham   Sydney Kerr   Pam Lindamood   Janet McClean  
Carmen García, Superintendent

## 2019-20

# ANNUAL NOTIFICATION FORMS

English:

1. Signature Page (**Please print, sign, and return this form to your child's school**)
2. Annual Notification
3. Sexual Harassment of Pupils Board Policy
4. McKinney Vento Letter
5. Uniform Complaint Procedures Notification
6. Weapons Safety Letter (**Please print, sign, and return this form to your child's school**)
7. Student Technology Responsible Use Policy
8. Concussion Information Form
9. Oral Health Notification (**Kinder & New 1<sup>st</sup> graders - Please print, sign, and return this form to your child's school**)
10. FAQ: Rights and Options Available to Pregnant/Parenting Pupils

**\*\*Optional Forms available at [www.smusd.org](http://www.smusd.org) (Please print, sign and return if you are interested in any of these optional forms)**

- ANNUAL PESTICIDE NOTIFICATION REQUEST
- PARENTAL OPTIONS (Vision & Hearing Screenings, Sexual Health & HIV Prevention Education, Right to Refrain from Harmful or Destructive Use of Animals)

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## 2019-20

# FORMULARIOS INCLUIDOS EN LA NOTIFICACIÓN ANUAL

Español:

1. Página de firmas [**Favor de imprimir, firmar y entregar este formulario a la escuela de su hijo(a)**].
2. Notificación Anual
3. Norma de la Mesa Directiva contra el Acoso Sexual de Estudiantes
4. Carta de McKinney Vento
5. Notificación del Procedimiento Uniforme de Quejas
6. Carta sobre la seguridad de armas [**Favor de imprimir, firmar y entregar este formulario a la escuela de su hijo(a)**].
7. Norma del uso responsable de tecnología por los estudiantes
8. Hoja informativa sobre la conmoción cerebral
9. Carta de notificación de salud bucal (Kinder y alumnos de 1.er grado nuevos, **favor de imprimir, firmar y entregar este formulario a la escuela de su hijo(a)**).
10. Hoja de Preguntas Frecuentes: Los derechos y opciones para alumnas embarazadas y estudiantes que son padres.

**\*\*Se pueden conseguir formularios opcionales en [www.smusd.org](http://www.smusd.org) (Si le interesan alguno de estos formularios opcionales, por favor, imprima, firme y entregue esta lista.)**

- SOLICITUD DE NOTIFICACIÓN ANUAL DE APLICACIÓN DE PESTICIDAS
- OPCIONES DE LOS PADRES (Examen de vista/prueba de audición, Educación de la Salud Sexual y de Prevención del VIH, Derecho a abstenerse del uso dañino o destructivo de animales)

School \_\_\_\_\_

Date \_\_\_\_\_

**EDUCATIONAL RIGHTS HOLDER ACKNOWLEDGEMENT OF ANNUAL NOTIFICATION:**

Educational Code Section §48982 **REQUIRES** parent/guardian/eligible student to sign to acknowledge that you have been informed of your rights and have been provided all other mandatory information necessary for the student to attend school. It does not indicate that consent to participate in any particular program has either been given or withheld.

*I hereby acknowledge receipt and review of the information regarding my rights, responsibilities and protections. I also attest, under penalty of perjury, that I am a resident of the District, as previously verified, or attending under an approved Interdistrict Agreement.*

*I have read and discussed with my student the SMUSD Behavior Code on the school's website and the Student Technology Responsible Use Policy included in this Annual Notification to Parents.*

Student Name (print): \_\_\_\_\_ Birthdate: \_\_\_\_\_ Grade: \_\_\_\_\_

Parent/Guardian/Eligible Student Name (print) \_\_\_\_\_ Parent/Guardian/Eligible Student Signature \_\_\_\_\_ Date \_\_\_\_\_

**FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA): RELEASE OF DIRECTORY INFORMATION:**

FERPA and Education Code 49061 and 49073 permit the District to disclose appropriately designated "directory information" without consent, unless you have advised SMUSD that you do not want the pupil's directory information disclosed without your prior written consent. The District makes student directory information available in accordance with state and federal laws. "Directory information" means one or more of the following items: pupil's name, address, telephone number, date of birth, email address, 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 pupil, which may be released to any agency or person with a legitimate educational interest, except private, pro fit-making entities other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Names and addresses of seniors or terminating students may be given to public or private schools, colleges, employers and military recruiters. SMUSD may post photographs, student work, and identification on the school district's websites and social media websites authorized and monitored by the school staff.

Upon written request from the parent of a student age 17 or younger, the District will withhold student directory information. If a student is 18 or older or enrolled in an institution of post-secondary instruction and makes a written request, the District will withhold student directory information. Request must be submitted within 30 calendar days of the receipt of this information.

**Please check appropriate boxes below to allow or withhold providing directory information and media regarding the above-named student:**

- ☐ I permit the release of SMUSD student directory information. **OR**
- ☐ I request to withhold release of any student directory information to any individual or organization. **OR**
- ☐ I request to withhold release of student directory information to the below agencies (**check all to which you do not permit release**):
- ☐ Colleges & Universities
  - ☐ District Internet/Web Pages (directory info and photos and/or interviews on school's website regarding school-related activities/athletics)
  - ☐ Health Department
  - ☐ Media (directory info and release photos and/or interviews related to school-related activities/athletics) in newspapers, television, and new media websites).
  - ☐ Military Recruitment
  - ☐ PTA/Parent Foundation
  - ☐ Yearbook (indicates that you do not want the student's name/photo in the yearbook)

Signature of Parent/Guardian (if student is under 18) \_\_\_\_\_

Signature of Student (if student is 18 or older) \_\_\_\_\_

- ☐ I am a homeless and unaccompanied youth over the age of 14, or am a parent of a homeless and unaccompanied youth and authorize the release of my directory information in accordance with the law and District policy.

Signature of Student (if over age 14/homeless/unaccompanied) \_\_\_\_\_

**PLEASE PRINT THIS FORM, RETURN THIS SIGNED PAGE TO THE STUDENT'S SCHOOL**



Escuela \_\_\_\_\_

Fecha \_\_\_\_\_

**ACUSE DE RECIBIDO DE LA NOTIFICACIÓN ANUAL POR EL TITULAR DE LOS DERECHOS EDUCATIVOS:**

El Artículo §48982 del Código de Educación **REQUIERE** que los padres/tutor legal o el estudiante apto confirme que ha sido informado de sus derechos y se le ha proporcionado todos los demás datos obligatorios necesarios para que el estudiante asista a la escuela. Dicho consentimiento no supone estar de acuerdo con o en desacuerdo con participar en cualquier programa en particular.

*Por la presente acuso recibo y confirmo haber revisado la información sobre mis derechos, responsabilidades y protecciones. Yo también declaro, bajo pena de perjurio, que soy un residente del distrito escolar, como previamente se verificó, o participando en virtud de un Acuerdo Interdistrital aprobado.*

*He leído y hablado con mi hijo(a) sobre el Código de Conducta de SMUSD que figura en el sitio web de la escuela y la Norma de Uso Responsable de Tecnología incluida en esta Notificación Anual de los Padres.*

Nombre del alumno (en letra redonda): \_\_\_\_\_ Fecha de nacimiento: \_\_\_\_\_ Grado: \_\_\_\_\_

Nombre (letra redonda) del padre o madre/tutor legal/estudiante apto	Firma del padre o madre/tutor legal/estudiante apto	Fecha
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**DERECHOS EDUCATIVOS DE LA FAMILIA Y LA LEY DE PRIVACIDAD (FERPA): DIVULGACIÓN DE LA INFORMACIÓN DEL DIRECTORIO:**

La Ley FERPA y los artículos 49061 y 49073 Código de Educación le permiten al distrito escolar divulgar sin consentimiento "información del directorio" que se determina adecuada para divulgar, a menos que usted le haya dicho a SMUSD que no quiere que se divulgue la información sin su consentimiento previo por escrito. El distrito pone al alcance la información de directorio de conformidad con las leyes estatales y federales. "Información de directorio" significa uno o más de los siguientes datos: Nombre del alumno, domicilio, número de teléfono, fecha de nacimiento, dirección de correo electrónico, las principales áreas de estudio, la participación en actividades y deportes oficialmente reconocidos, peso y estatura de miembros de equipos deportivos, fechas de asistencia, título y premios recibidos, y la última escuela pública o privada que el alumno haya asistiendo, que puede ser divulgada a cualquier entidad o persona con un interés educativo legítimo, excepto entidades privadas, con fines de lucro u otras entidades distintas de los empleadores, los futuros empleadores y representantes de los medios de comunicación, incluyendo, pero sin limitarse a, periódicos, revistas, emisoras de radio y canales de televisión. Los nombres y domicilio de los alumnos en el 12.º grado o los estudiantes que terminaron sus estudios se le pueden dar a los colegios privados, colleges/universidades y a reclutadores militares. SMUSD puede publicar fotografías, el trabajo de los estudiantes y su identificación en el sitio web del distrito escolar, los sitios web y sitios web de medios sociales autorizados y supervisados por el personal escolar.

A solicitud por escrito de los padres de un estudiante de 17 años de edad o menor, el distrito retendrá la información del directorio de estudiantes. Si un estudiante tiene 18 años de edad o más, o matriculados en una institución de enseñanza postsecundaria y hace una solicitud por escrito, el distrito retendrá la información del directorio de estudiantes. La solicitud debe ser presentada dentro de los 30 días naturales siguientes a la recepción de esta información.

**Favor de marcar con una palomita las casillas a continuación para permitir o denegar la divulgación de información de directorio y medios de comunicación en relación con el estudiante antes mencionado:**

- ☐ Doy mi consentimiento a SMUSD para divulgar la información de directorio. o
- ☐ Solicito que no se divulgue ninguna información incluida en el directorio estudiantil a cualquier individuo u organización. o
- ☐ Solicito que no se divulgue la información del directorio estudiantil a las entidades a continuación (marque los que no autoriza):
  - ☐ Colleges y Universidades
  - ☐ Sitos y páginas web del distrito (información del directorio y fotos o entrevistas en el sitio web de la escuela con respecto a actividades relacionadas con la escuela/deportes)
  - ☐ Departamento de Salud
  - ☐ Los medios de información (información de directorio y divulgación de las fotos o entrevistas relacionadas con actividades escolares/deportistas) en los periódicos, la televisión y los nuevos sitios web.
  - ☐ El reclutamiento militar
  - ☐ PTA/Fundación de Padres
  - ☐ Anuario (indica que no desea que el nombre del alumno/foto salga en el anuario)

Firma del padre/madre/tutor (si es estudiante tiene 18 años o mayor)

Firma del estudiante (si es estudiante tiene 18 años o mayor)

- ☐ Soy un joven sin hogar mayor de 14 años que no está acompañado por un adulto, o soy el padre o madre de un joven sin hogar que no está acompañado por un adulto, y autorizo la divulgación de mi información contenida en el directorio de información de conformidad con la ley y la política del distrito escolar.

Firma del estudiante (si es mayor de 14 años/sin hogar/no acompañado por un adulto)

**FAVOR DE IMPRIMIR ESTE FORMULARIO Y DEVOLVER LA PÁGINA FIRMADA A LA ESCUELA DE SU HIJO(A)**

Dear Students, Parents and Guardians,

State law requires the San Marcos Unified School District to provide annual notification to students, parents and guardians of their rights and responsibilities pertaining to their child's education. Please read this Annual Notification. The parent or guardian is required to acknowledge their receipt of this notice by signing and returning the signature page to their child's school. The parent's or guardian's signature is an acknowledgment that they have been informed of their rights and does not indicate the parent's or guardian's consent for their child to participate or not participate in any particular program listed within the Annual Notification.

Some legislation requires additional notification to the parents or guardians during the school term prior to a specific activity. (A separate letter will be sent to the parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are to be spelled out in this Annual Notification.

The District and its Board recognize that parent or guardian involvement in their child's education promotes student achievement and contributes greatly to the student's success. This Annual Notification contains information on the various ways parental involvement is both permitted and encouraged by federal and state laws, as well as District policies. The District commits to providing a quality education to all of its students in a safe and healthy environment. The District looks forward to a successful and positive school year, made possible by the dedicated efforts of its administrators, teachers, paraeducators, support staff, students, and parents and guardians.

Please read this Annual Notification carefully and return the signed forms to your student's school as soon as possible.

Governing Board: Stacy Carlson Victor Graham Sydney Kerr Pam Lindamood Janet McClean  
Carmen García, Superintendent

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## RULES AND PROCEDURES ON SCHOOL DISCIPLINE – EC 35291

### A. All Students

#### 1. Suspension-EC 48900

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

- a. (1) Caused, attempted to cause or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold or otherwise furnished a firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred by the principal or designee of the principal.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco, or products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- k. (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm. As used in this section "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n. Committed or attempted to commit sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- p. Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
- q. Engaged in, or attempted to engage in hazing. For purposes of this subdivision, "hazing" is any method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- r. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - i. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:



1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
  2. Causing a reasonable pupil to experience substantially detrimental effect on his or her physical or mental health.
  3. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
  4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
- ii. (A) "Electronic act" means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, pager, of a communication including, but not limited to, any of the following:
1. A message, text, sound, video, or image.
  2. A post on a social network Internet Web site, including but not limited to: a) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (i); b) creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (i). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purposes of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (i). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  3. An act of cyber sexual bullying. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (1)-(4), inclusive of paragraph (i). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording, or other electronic act. For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned events.
- (B) Notwithstanding paragraph (i) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- iii. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
- s. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for the acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:
- i. While on school grounds;
  - ii. While going to or coming from school;
  - iii. During the lunch period whether on or off the campus;
  - iv. During, or while going to or coming from, a school sponsored activity.
- t. A pupil who aides or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- u. As used in this section, "school property" includes, but is not limited to electronic files and databases.
- v. For a pupil subject to discipline under this section, a superintendent of the school district may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5.
- w. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

## **2. Expulsion**

A student may be recommended for expulsion for any of the reasons enumerated in Education Code section 48915, and pursuant to the expulsion procedures identified in Education Code section 48918 and 48918.5.

### **B. Attendance of Suspended Child's Parent or Guardian for Portion of School Day- EC 48900.1**

Pursuant to board policy, a teacher may require a parent or guardian of a pupil who has been suspended by a teacher pursuant to Section 48910 for either committing an obscene act, engaging in habitual profanity or vulgarity or disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, to attend a portion of a school day in the classroom of his or her child or ward.

### **C. Sexual Harassment Policy-EC 231.5, 48980(g), 48900.2**

The District will not tolerate sexual harassment by anyone participating in any District program or activity. This includes student-to-student or peer sexual harassment as well as harassment between a student and any District participant. The District takes all complaints of sexual harassment seriously, investigates and addresses identified sexual harassment, and if the investigation results in the determination that sexual harassment has occurred, takes reasonable, immediate corrective action to stop the harassment, eliminate a hostile environment, and prevent future sexual harassment. Alleged pupil sexual harassment in violation of District policy or federal or state law will be handled pursuant to District policy and procedures that can be found online at [www.smusd.org](http://www.smusd.org), Board Policy and Administrative Procedure 5145.7. A pupil in grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined below.

California Education Code section 212.5 defines sexual harassment as any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under any of the following conditions:

- a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

### **D. Hate Violence-EC 48900.3**

A pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, or threatened to cause, or participated in an act of, hate violence, as defined in EC 233(e).

### **E. Harassment, Intimidation or Threats-EC 48900.4**

A pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

### **F. Terroristic Threats Against School Officials, School Property or Both-EC 48900.7**

A pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both. A "terroristic threat" includes any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it

is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

**G. Suspension/Expulsion: Alternative and Other Means of Correction- EC 48900, 48900.5, 48911**

Generally, suspension shall be imposed only when other means of correction fail to bring about proper conduct. The District may document other means of correction short of suspension and expulsion and place the documentation in the pupil's record. Other means of correction may include: a conference between school personnel, the pupil's parent or guardian and the pupil; referrals to the school counselor or psychologist; study teams, guidance teams or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-educational assessment; after-school programs that address specific behavioral issues; and community service on school grounds during non-school hours. A pupil may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons. A suspension shall be preceded by an informal conference between the principal, the principal's designee or the district's superintendent of schools and the pupil, and whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At this conference, the pupil shall be informed of the reason for the disciplinary action and other means of correction that were attempted before the suspension.

**RIGHTS AND OPTIONS AVAILABLE TO PREGNANT AND PARENTING PUPILS-EC 46015**

A pregnant or parenting pupil is defined as any pupil who gives or expects to give birth, or any parenting pupil who identifies as the parent of an infant. Pregnant and parenting pupils are entitled to at least eight weeks of parental leave, which can be taken before birth of the pupil's infant if there is a medical necessity, or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The pupil is neither required to take time off nor notify his or her school that he or she is doing so; this is a guaranteed minimum right that can be expanded if deemed medically necessary. Parental leave will be considered an excused absence, and the pregnant or parenting pupil is not required to complete any academic work during this period.

A pregnant or parenting pupil may return to their previous school and course of study, and is entitled to make up opportunities for any work missed during the leave. These students are allowed to enroll in a fifth year of high school in order to complete any state or local graduation requirements, except when the school finds that the pupil is reasonably able to complete these requirements in time to graduate high school by the end of their fourth year.

A pregnant or parenting pupil who does not wish to reenroll in his or her previous school is entitled to alternative education options offered by the local education agency. If so enrolled, the pupil shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular program. Furthermore, a school may not penalize a student for using any of the accommodations mentioned above.

If a student believes that his or her school is discriminating on the basis of sex in opposition to the rights and entitlements listed above, that student can file a complaint through the standard Uniform Complaint Procedures of California Code of Regulations, Title 5 Sections 4600, et. seq.

**CALIFORNIA HEALTHY YOUTH ACT EC 51934, 51938**

Students enrolled in District programs or activities may receive instruction in personal health and public safety, which may include accident prevention, first aid, fire prevention, conservation of resources, and health education including comprehensive sexual health education and HIV prevention.

The District plans to provide comprehensive sexual health education and/or HIV prevention education during the 2019-20 school year. The instruction shall include, among other things, information about sexual harassment, sexual abuse, and human trafficking. Information on human trafficking shall include both of the following:

- a. Information on the prevalence nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance.
- b. Information on how social media and mobile device applications are used for human trafficking.

Students will be taught by District personnel/an outside agency. If the District decides to arrange for an outside consultant to provide comprehensive sexual health education and/or HIV prevention education, the District will provide notice to parents by mail or another form of communication, no fewer than 14 days before the instruction is delivered.

A pupil's parent or guardian has the right to request from the District, a copy of the California Healthy Youth Act, Education Code section 51930 *et. seq.* A pupil's parent or guardian also has the right to inspect and review the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.

A pupil's parent or guardian may submit a written request to excuse the pupil from participation in any class involving comprehensive sexual education or, HIV prevention education by submitting their request in writing to the school

The District may administer for pupils in grades 7 to 12 inclusive, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex. A parent or guardian may excuse their child from the test, questionnaire, or survey by opting out of their student's participation in the tests, questionnaires or surveys. An opt-out form is provided within these notifications. Parents or guardians have a right to review the test, questionnaire, or survey if they wish.

The excused pupil shall not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent or guardian declines to permit the pupil to receive comprehensive sexual health education or HIV prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks.

While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to pupils whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey. More information can be found online at [www.smusd.org](http://www.smusd.org), Board Policy and Administrative Procedure 6142.1.

#### **PUPIL SAFETY: HUMAN TRAFFICKING PREVENTION RESOURCES-EC 49381**

The governing board of DISTRICT (OR CHARTER) will work with their schools that maintain any grades 6 to 12, inclusive, to identify the most appropriate methods of informing parents and guardians of pupils in those grades of human trafficking prevention resources and to implement the identified methods in those schools by January 1, 2020.

#### **PUPIL NUTRITION-EC (IF CHARTER, 47613.5) 49510-49520; 49564-49564.5**

Free or reduced-priced meals are available for pupils in receipt of public assistance. Meal program details are provided at the pupil's school site. All parents and guardians receive a letter with the application form upon enrollment. To apply for free or reduced-price meals, households must fill out the application and return it to the school or apply online at [www.smusd.org](http://www.smusd.org), Child Nutrition Services Department. Some schools operated by the District may provide breakfast and lunch to all students free of charge pursuant to a universal meal program. At this time, San Marcos Elementary School is participating in the no cost meal program. Information is available online at [www.smusd.org](http://www.smusd.org), Child Nutrition Services Department, under the meal price tab.

#### **RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS-EC 32255-32255.6**

Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals based on moral objections, and may complete an alternative educational project acceptable to the teacher. In order to refrain from participation, a parent or guardian must submit a written note of the objections to participating in an educational project involving the harmful or destructive use of animals. An opt-out form is provided within this notice.

#### **IMMUNIZATION AND COMMUNICABLE DISEASES-EC 48216, 49403**

The District shall follow all laws, rules, and regulations regarding immunizations required for students to enroll. The District shall not admit any student until the student is properly immunized as required by law. If there is good cause to believe a student has been exposed to a disease and his or her proof of immunization does not show proof of immunization against that disease, the District may temporarily exclude the child from school until the local health officer is satisfied that the child is no longer at risk of developing or transmitting the disease.

If the parent or guardian files with the governing authority a written statement by a licensed physician to the effect that the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, indicating the specific nature and probably duration of the medical condition or circumstances, including, but not limited to, family medical history, for which the physician does not recommend immunization, that child shall be exempt from the immunization requirements.

Effective January 1, 2016: The California Legislature eliminated the exemption from specified immunization requirements based upon personal beliefs. A pupil who, prior to January 1, 2016, submitted a letter or affidavit on file with the District stating beliefs opposed to immunization shall be allowed enrollment to any District school until the pupil enrolls in the next grade span. Grade span means (1) from birth to preschool; (2) Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten; and (3) grades 7 to 12 inclusive.

#### **MEDICATION-EC 49423**

Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the physician or physician assistant and a parental request for assistance in administering the medications. Any student may carry and self-administer prescription auto-injectable epinephrine only if the student submits a written statement of instructions from the physician or physician assistant and written parental consent authorizing the self-administration of medication, providing a release for the school nurse or other personnel to consult with the child's health care provider as questions arise, and releasing the district and personnel from civil liability if the child suffers any adverse reaction as a result of the self-administration of medication.

#### **CONTINUING MEDICATION REGIMEN-EC 49480**

The parent or legal guardian of any pupil on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other contact person of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. Information and forms are available on the District's website, [www.smusd.org](http://www.smusd.org), Department of Health Services (Nursing).

#### **MEDICAL AND HOSPITAL SERVICES FOR PUPILS-EC 49471, 49472**

The District does not provide medical or hospital services through non-profit membership corporations or insurance policies for pupil injuries arising out of school-related activities. The District will notify each parent or guardian of each pupil participating in athletic activities that such medical or hospital services are not provided.

#### **PUPILS WITH TEMPORARY DISABILITIES; INDIVIDUAL INSTRUCTION-EC 48206.3, 48207, 48207.3, 48207.5, 48208**

Special individual instruction (as distinct from independent study) is available for students with temporary disabilities that make attendance at school impossible or inadvisable. Parents or guardians should first contact the principal to determine services.

#### **DISABLED PUPILS-SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101, et seq.) prohibits discrimination on the basis of disability. Section 504 requires school districts to identify and evaluate children with disabilities in order to provide them a free, appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activities, including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, speaking, are eligible to receive services and aids designed to meet their needs as adequately as the needs of non-disabled students are met.

- Name and contact information of the District's designated individual for implementing Section 504: Director, Special Education, 760-752-1289.
- Screening and evaluation procedures used by the District when there is a reason to believe a student has a disability under Section 504: Director, Special Education, 760-752-1289.
- A student has the right to a written accommodation plan if the student qualifies for services under Section 504.
- A student has the right to be educated with non-disabled students to the maximum extent appropriate based on the student's needs.

- A copy of the parents or guardians legal safeguard can be obtained on the District website, [www.smusd.org](http://www.smusd.org), Section 504.

#### **SPECIAL EDUCATION: CHILD FIND SYSTEM-IDEA; EC 56301**

Federal and state law require 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. Any parent suspecting a child has exceptional needs due to a disability may request an assessment for eligibility for special education services. The District's child find policy and procedures are available at [www.smusd.org](http://www.smusd.org), Department of Special Education.

#### **SPECIAL EDUCATION: COMPLAINTS-EC 56500.2**

Parents or guardians have a right to file a written complaint with the school if they believe the school is in violation of federal or state law governing the identification or placement of special education students, or similar issues. State regulations require the party filing the complaint to forward a copy of the complaint to the District at the same time the party files the complaint with the California Department of Education. Procedures are available from your building principal.

#### **SPECIAL EDUCATION: DUE PROCESS HEARINGS-EC 56502**

The State Superintendent is required to develop a model form to assist parents and guardians in filing requests for due process. Available at [www.dgs.ca.gov/oah/SpecialEducation.aspx](http://www.dgs.ca.gov/oah/SpecialEducation.aspx) is the model form for parents that wish to initiate due process hearings relating to special education rights.

#### **SPECIAL EDUCATION: INSPECTION OF RECORDS-EC 56043(n)**

Upon request, parents or guardians of children with exceptional needs may examine and receive copies of the student's records within five business days after a request is made and prior to any Individualized Education Program meeting, hearing or resolutions session regarding their child.

#### **PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT-EC 49451**

A parent or guardian may, by written statement filed annually, refuse to consent to the physical examination, including the vision and hearing tests, of his/her child; however, a child may be sent home if, for good reasons, he or she is believed to be suffering from a recognized contagious or infectious disease. Educ. Code 49451. Schoolchildren are examined for vision and hearing at selected grade levels. An opt-out form is included within this notification.

In general, any non-emergency, physical examination or screening that is 1) required as a condition of attendance; 2) administered by the school; and 3) is not necessary to protect the immediate health and safety of the pupil or other pupils, may be administered in the fall and winter months of the school year.

Education Code section 49455 requires a pupil's vision to be appraised by the school nurse or other authorized person during kindergarten or upon first enrollment or entry in a California school district of a pupil at an elementary school, and in grades 2, 5, and 8, unless a pupil's first entry or enrollment occurs in grade 4 or 7.

#### **CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM-HSC 124085, 124105**

Before a child enters first grade, his or her parents must obtain a waiver or health screening for the child and complete the provided certificate or sign a waiver. The screening should take place before (within the prior 6 months) or during the kindergarten year. Parents are encouraged to obtain health screening simultaneously with required immunizations. Parents may inquire in the school office about free health screenings for low-income children provided under the Child Health and Disabilities Prevention Program.

#### **FOSTER YOUTH BILL OF RIGHTS - EC 48853; 48853.5; 49069.5; 51225.1; 51225.2**

"Foster child" means a child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code ("WIC"), is the subject of a petition filed under Section 300 or 602 of the WIC, or has been removed from his or her home and is the subject of a petition filed under WIC section 300 or 602.

A foster child who is placed in a licensed children's institution or foster family home shall attend programs operated by the local educational agency in which that licensed children's institution or foster family home is located, unless one of the following applies:

- (1) The pupil is entitled to remain in his or her school of origin;
- (2) The pupil has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency.
- (3) The parent or guardian, or other person holding the right to make educational decisions for the pupil pursuant to Section 361 or 726 or the WIC or Section 56055 ("educational rights holder"), determines that it is in the best interests of the pupil to be placed in another educational program and has submitted a written statement to the local educational agency that he or she has made that determination. This statement shall include a declaration that the parent, guardian, or educational rights holder is aware of all of the following:
  - a. The pupil has a right to attend a regular public school in the least restrictive environment.
  - b. The alternate education program is a special education program, if applicable.
  - c. The decision to unilaterally remove the pupil from the regular public school and to place the pupil in an alternate education program may not be financed by the local educational agency.
  - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent, guardian, or educational rights holder.

The parent or guardian, or educational rights holder shall first consider placement in the regular public school before deciding to place the foster child in a juvenile court school, a community school, or another alternative educational setting.

A foster child may still be subject to expulsion under applicable law and board policy.

Foster youth are subject to other laws governing the educational placement in a juvenile court school, or a pupil detained in a county juvenile hall, or committed to a county juvenile ranch, camp, forestry camp, or regional facility, notwithstanding the rights contained in this notice.

Foster children living in emergency shelters (as referenced in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.)), may receive educational services at the emergency shelter as necessary for short periods of time for either of the following reasons.

- (1) For health and safety emergencies.
- (2) To provide temporary, special, and supplementary services to meet the child's unique needs if a decision regarding whether it is in the child's best interests to attend the school of origin cannot be made promptly, it is not practical to transport the child to the school of origin, and the child would otherwise not receive educational services.

The educational services may be provided at the shelter pending a determination by the educational rights holder regarding the educational placement of the child.

All educational and school placement decisions shall be made to ensure that the child is placed in the least restrictive educational programs and has access to academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions shall be based on the best interests of the child.

The District has designated the Director of Student Services as the educational liaison for foster children. The role of educational liaison is advisory with respect to placement decisions and determination of school of origin and does not supersede the role of the parent or guardian retaining educational rights, a responsible adult appointed by the court, a surrogate parent or a foster parent exercising their legal rights with respect to the foster child's education. The educational liaison serves the following roles:

- (1) Ensures and facilitates proper educational placement, enrollment in school, and checkout from school for foster children;
- (2) Assists foster children when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records and grades.
- (3) When designated by the Superintendent, notifies a foster child's attorney and child welfare agency representative(s) of pending disciplinary proceedings and pending manifestation determination proceedings if the foster child is also eligible to receive special education and related services under the IDEA.

At the initial detention or placement by the Juvenile Court, or any subsequent change in placement of a foster child by the Court, the local educational agency serving the child shall allow the foster child to continue his or her education in the

school of origin for the duration of the jurisdiction of the court. If the jurisdiction of the court is terminated prior to the end of the academic year:

- (1) Former foster children in grades kindergarten, or 1 to 8, inclusive, shall be allowed to continue his or her education in the school of origin through the duration of the academic year;
- (2) Former foster children in high school shall be allowed to continue his or her education in the school of origin through graduation;
- (3) Transportation is not required unless the former foster child has an IEP and the IEP team determines transportation is a necessary related service, required by the unique educational needs of the pupil in order to benefit from their special education program. Transportation may be provided at the local educational agency's discretion. The rights of foster youth do not supersede any other law governing special education for eligible foster children.
- (4) To ensure that the foster child has the benefit of matriculating with his or her peers in accordance with the established feeder patterns of school districts, if the foster child is transitioning between school grade levels, the foster child shall be allowed to continue in the school district of origin in the same attendance area, or, if the foster child is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, to the school designated for matriculation in that school district.

In consultation with the foster child and educational rights holder, the educational liaison may recommend that the foster child waive his or her right to attend the school of origin and enroll in a public school within his or her attendance area. The educational liaison's recommendation must be accompanied by a written explanation for the basis of the recommendation and how it serves the foster child's best interests.

- (1) If the educational liaison, foster child and educational rights holder agree it is in the best interest of the foster child to waive his or her right to attend the school of origin and attend the recommended school, the foster child shall immediately be enrolled within the recommended school.
- (2) The recommended school shall immediately enroll the foster child regardless of any outstanding fees, fines, textbooks or moneys due to any previous schools of attendance or if the foster child is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including proof of immunization, proof of residency or other documentation.
- (3) Within two business days of the foster child's request for enrollment, the educational liaison for the new school shall contact the school last attended by the foster child to obtain all academic and other records. The last school attended by the foster child shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. The educational liaison for the school last attended shall provide a complete copy of the foster child's education record to the new school within two business days of receiving the request.

If any dispute arises as to the school placement of a pupil under this section, the pupil has the right to remain in his or her school of origin, pending resolution of the dispute.

"School of origin" means the school that the foster child attended when permanently housed or the school in which the foster child was last enrolled. If the school the foster child attended when permanently housed is different from the school in which the foster child was last enrolled, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the educational liaison, in consultation with, and with the agreement of, the foster child and the educational rights holder, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.

If the foster child is absent from school due to a decision to change the placement of the foster child made by a court or placing agency, the grades and credits of the foster child will be calculated as of the date the foster child left school and no lowering of grades will occur as a result of the absence of the foster child under these circumstances. If the foster child is absent from school due to a verified court appearance or related court ordered activity, no lowering of his or her grades will occur as a result of the absence of the pupil under these circumstances.

A foster child or homeless youth who transfers between schools any time after the completion of the pupil's second year of high school shall be exempt from all coursework and other graduation requirements adopted by the governing board of the local educational agency that are in addition to the statewide coursework requirements, unless the local educational agency makes a finding that the foster child or homeless youth is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.



Within 30 days of the foster child's transfer into a school, the local educational agency should determine whether a foster child or homeless youth is reasonably able to complete the local educational agency's graduation requirements within the pupil's fifth year of high school. If the pupil is reasonably able to complete the local educational agency's graduation requirements within a fifth year of high school, the local educational agency shall do all of the following:

- (1) Inform the pupil of his or her option to remain in school for a fifth year to complete the local educational agency's graduation requirements.
- (2) Inform the pupil, and the educational rights holder, about how remaining in school for a fifth year to complete the local educational agency's graduation requirements will affect the pupil's ability to gain admission to a postsecondary educational institution.
- (3) Provide information to the pupil about transfer opportunities available through the California Community Colleges.
- (4) Permit the pupil to stay in school for a fifth year to complete the local educational agency's graduation requirements upon agreement with the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, upon agreement with the educational rights holder.

If the local educational agency fails to provide timely notice of the exemption, the pupil shall be eligible for the exemption, once notified, even if that notification occurs after the termination of the court's jurisdiction of the pupil or after the pupil is no longer considered a homeless youth.

If a foster child or homeless youth is exempt from local graduation requirements pursuant to this section and completes the statewide coursework requirements before the end of his or her fourth year of high school and that pupil would otherwise be entitled to remain in attendance at the school, a school or local educational agency shall not require or request that the pupil graduate before the end of his or her fourth year of high school, nor shall the foster child or homeless youth be required to accept the exemption or be denied enrollment in courses for which they are otherwise eligible.

If a foster child or homeless youth is not exempt from local graduation requirements or has previously declined the exemption pursuant to this section, a local educational agency shall exempt the pupil at any time if an exemption is requested by the pupil and the pupil qualifies for the exemption. The exemption shall apply after termination of the court's jurisdiction or after pupil is no longer considered a homeless youth.

A transfer shall not be requested solely to qualify for an exemption under this section.

The local educational agency shall accept coursework satisfactorily completed by a foster child or homeless youth while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and issue that pupil full or partial credit for the coursework completed.

The local educational agency may not require a foster child or homeless youth to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the local educational agency may not require the pupil to retake the portion of the course the pupil completed unless the local educational agency in consultation with the educational rights holder, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the foster child or homeless youth shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course. The pupil shall not be prevented from taking or retaking a course to meet eligibility requirements for admission to the California State University or University of California.

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

A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

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

## **CHILDREN OF MILITARY FAMILIES – AND OTHER PROTECTED PUPILS- EC 49701, 51225.1, 51225.2**

A pupil who is a "child of a military family" is defined as school-aged child or children, enrolled in kindergarten through twelfth grade, in the household of an active duty member. "Active duty" means full-time status in the active uniformed services of the United States, including member of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. sections 1209 and 1211.

Children of military families who transfer between schools any time after the completion of the pupil's second year of high school shall be exempt from all coursework and other graduation requirements adopted by the governing board of the local educational agency that are in addition to the statewide coursework requirements, unless the local educational agency makes a finding that the child of a military family is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.

Within 30 days of the child of a military family's transfer into a school, the local educational agency should determine whether the child of a military family is reasonably able to complete the local educational agency's graduation requirements within the pupil's fifth year of high school. If the pupil is reasonably able to complete the local educational agency's graduation requirements within a fifth year of high school, the local educational agency shall do all of the following:

- (1) Inform the pupil of his or her option to remain in school for a fifth year to complete the local educational agency's graduation requirements.
- (2) Inform the pupil, and the educational rights holder, about how remaining in school for a fifth year to complete the local educational agency's graduation requirements will affect the pupil's ability to gain admission to a postsecondary educational institution.
- (3) Provide information to the pupil about transfer opportunities available through the California Community Colleges.
- (4) Permit the pupil to stay in school for a fifth year to complete the local educational agency's graduation requirements upon agreement with the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, upon agreement with the educational rights holder.

Within 30 calendar days of the date that a pupil who is a child of a military family who may qualify for the exemption from local graduation requirements transfers into a school, the school district shall notify the pupil and the pupil's parent or guardian of the availability of the exemption and whether the pupil qualifies for an exemption.

If the District fails to provide timely notice, the pupil shall be eligible for the exemption from local graduation requirements, even if that notification occurs after the pupil no longer meets the definition of "a child of a military family."

If a child of a military family is exempt from local graduation requirements pursuant to this section and completes the statewide coursework requirements before the end of his or her fourth year of high school and that pupil would otherwise be entitled to remain in attendance at the school, a school or local educational agency shall not require or request that the pupil graduate before the end of his or her fourth year of high school, nor shall the child of a military family be required to accept the exemption or be denied enrollment in courses for which they are otherwise eligible.

If a child of a military family is not exempt from local graduation requirements or has previously declined the exemption pursuant to this section, a local educational agency shall exempt the pupil at any time if an exemption is requested by the pupil and the pupil qualifies for the exemption. The exemption shall apply after the pupil no longer meets the definition of "a child of a military family" while he or she is enrolled in school or if the pupil transfers to another school or school district.

A school district shall not require and a parent or guardian shall not request a child of a military family to transfer schools solely to qualify the pupil for an exemption under this section.

The local educational agency shall accept coursework satisfactorily completed by a pupil who is a child of a military family while attending another public school (including schools operated by the United States Department of Defense), a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and issue that pupil full or partial credit for the coursework completed.

The local educational agency may not require a child of a military family to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the local educational agency may not require the pupil to retake the portion of the course the pupil completed unless the local educational agency in consultation with the educational rights holder, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the child of a military family shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course. The pupil shall not be prevented from taking or retaking a course to meet eligibility requirements for admission to the California State University or University of California.

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

A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

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

The above protections shall also apply to pupils in foster care, pupils who are homeless, former juvenile court school pupils, migratory children, and pupils participating in a newcomer program, as defined in Education Code section 51225.2(a).

#### **ASBESTOS-40 C.F.R. 763.93**

The District has a current management plan for asbestos containing materials for all district portables. The plan is available for inspection at the Maintenance & Operations Department during normal business hours.

#### **USE OF PESTICIDES-EC 17612, 48980.3**

The name of all pesticides products expected to be applied at the school facilities during the upcoming year can be found at [www.smusd.org](http://www.smusd.org), Department of Maintenance and Operations. Persons wishing to be notified in advance of individual pesticide applications may register with the District for that purpose. To register, contact the SMUSD Maintenance & Operations Department. Additional information on pesticides is made available by the Department of Pesticide Regulation at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

The District has developed an integrated pest management plan to provide a safe and low-risk approach to manage pest problems while protecting the environment, people and property. The District's integrated pest management plan can be found on [www.smusd.org](http://www.smusd.org), and parents or guardians may also view the integrated pest management plan at the Maintenance & Operations Department during normal business hours.

#### **SCHOOL BUS AND PASSENGER SAFETY-EC 39831.5**

Bus safety regulations, including a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops, can be found online at [www.smusd.org](http://www.smusd.org), Department of Transportation.

#### **WILLIAMS COMPLAINT POLICY AND PROCEDURES-EC 35186**

The District has adopted a uniform complaint process to help identify and resolve deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff and, teacher vacancy or mis-assignment. Notice of the complaint process and the location at which to obtain a complaint form is posted in all classrooms.

#### **NOTICE OF ALTERNATIVE SCHOOLS-EC 58501**

"California State law authorizes all school districts to provide for alternative schools. The Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

- (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.

- (b) Recognize that the best learning takes place when the student learns because of his desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may result in whole or in part from a presentation by his 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, teachers, 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 schools, the *County Superintendent of Schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information.* This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district."

A copy of the notice shall also be posted in at least two places normally visible to pupils, teachers, and visiting parents in each attendance unit for the entire month of March in each year.

#### **STATEMENT OF NON-DISCRIMINATION**

State and federal law prohibits discrimination in education programs. Education Code section 200, et seq. requires school district to afford all pupils regardless of gender, gender identity, gender expression, sex, race, color, religion, natural origin, immigration status, ethnic group identification, mental or physical disability, sexual orientation, or the perception of one or more of such characteristics, equal rights and opportunities in accessing educational programs, activities and facilities. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Title IX prohibits discrimination on the basis of sex. The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination on the basis of disability.

The District will take the required steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging non-compliance with this policy are investigated through the Uniform Complaint Process.

#### **ATTENDANCE-EC 48980(h)**

##### **A. Residency Requirements-EC 48200, 48204, 48204.3, 48204.4, 48204.6**

Each person between the ages of 6 and 18 years (and not exempted) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she meets any of the following:

- (1) Placed within the boundaries of the school district in a foster home or licensed children's institution as defined in Section 56155.5 or a family home within the boundaries of the school district pursuant to a commitment or placement under the Welfare and Institutions Code;
- (2) A pupil who is a foster child who remains in his or her school of origin pursuant to subdivisions (d) and (e) of Section 48853.5.
- (3) A pupil for whom interdistrict transfer has been approved;
- (4) An emancipated pupil who resides within the boundaries of the school district;
- (5) A pupil who lives in the home of a care giving adult that is located within the boundaries of the school district;
- (6) A pupil residing in a state hospital located within the boundaries of the school district;
- (7) A pupil whose parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the pupil at the place of his or her employment within the boundaries of the school district for a minimum of three days during the school week.
- (8) A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both of the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a minimum of 10 hours during the school week.

- (9) A pupil whose parent is transferred or is pending transfer to a military installation within the boundaries of the school district while on active military duty pursuant to an official military order.
- (10) A pupil whose parent or parents were residents of this state and have departed California against their will, and if the pupil seeks admission to a school of a school district, shall be admitted, regardless of his or her current residency, provided the pupil has:
  - (A) Official documentation evidencing the departure of his or her parent or legal guardian;
  - (B) Moved outside of California as a result of his or her parent or legal guardian departing against their will and the pupil lived in California immediately before moving outside of California; and,
  - (C) Provides documentation that the pupil was enrolled in a California public school immediately before moving outside of California.

#### **B. Residency Investigations**

The governing board of DISTRICT has adopted a board policy regarding the process it follows for conducting investigations to determine whether a pupil meets residency requirements for school attendance in the school district. A copy of the DISTRICT Board Policy 5111.1 is located at [www.smusd.org](http://www.smusd.org).

#### **C. Statutory Attendance Options**

- **Intradistrict Choice Policy (EC 35160.5(b)):** Residents of the school district may apply to other schools within the school district for their child to attend on a space available basis.
- **Interdistrict Attendance (EC 46600, et seq.):** The parent or guardian of a pupil may seek release from the home district to attend a school in any other school district. Each school district of resident and school district of proposed enrollment shall post on its Internet Web site the procedures and timelines, including a link to the policy of the governing board of the school district, regarding a request for an interdistrict transfer permit in a manner that is accessible to the public without a password. The information posted on the Internet Web site shall include, but need not be limited to, the following:
  - The date upon which the school district will begin accepting and processing interdistrict transfer requests for the subsequent school year.
  - The reasons for which the school district may approve or deny a request, and any information or documents that must be submitted as supporting evidence.
  - If applicable, the process and timelines by which denial of a request may be appealed within the school district before the school district renders a final decision.
  - That failure of the parent to meet any timelines established by the school district shall be deemed an abandonment of the request.
  - Applicable timelines for processing a request, including statements that the school district shall do both of the following:
    - Notify a parent submitting a current year request, as defined in Section 46600.1, of its final decision within 30 calendar days from the date the request was received.
    - Notify a parent submitting a future year request, as defined in Section 46600.1, of its final decision as soon as possible, but not later than 14 calendar days after the commencement of instruction in the school year for which interdistrict transfer is sought.
  - The conditions under which an existing interdistrict transfer permit may be revoked or rescinded.
- **Open Enrollment Act (EC 48350, et seq.):** When a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may request a transfer to another school with a higher Academic Performance Index that is either within or outside of the district.
- **District of Choice (EC 48300, et seq.):** Some school districts may choose to become a district of choice: a district that accepts transfer students from outside the district under the terms of a resolution. A school board that decides to become a district of choice must determine the number of transfers it is willing to accept and make sure that students are selected through a random and unbiased process.

#### **D. Absence for Religious Instruction-EC 46014**

Permissive absence may be granted for governing board approved religious exercises or instruction if a pupil has attended at least the minimum school day and for not more than four days per school month.

#### **E. Absence for Confidential Medical Services-EC 46010.1**

Students in grades 7 to 12 may be excused for the purpose of obtaining confidential medical services without consent of the pupil's parent or guardian.

**F. Notification of Minimum Days and Pupil Free Staff Development Day-EC 48980(c)**

A schedule of minimum days and pupil-free staff development days will be shown on the School Calendar and made available online at [www.smusd.org](http://www.smusd.org) at the beginning of the school year or as early as possible, but no later than one month prior to the scheduled minimum or pupil-free day.

**G. Grade Reduction/ Loss of Academic Credit-EC 48980(j)**

No pupil shall have his/her grade reduced or lose academic credit for any excused absence pursuant to EC 48205 for missed assignments/tests that can reasonably be provided/completed.

**H. Excused Absence; Justifiable Personal Reasons; Credit (EC 48205); Truancy (EC 48260, et seq.)**

State law permits students to be absent for justifiable reasons and allows for completion of missed assignments. Students who are absent without valid excuse, and their parents/guardians, may be subject to truancy and/or criminal proceedings under Education Code section 48260, et seq.

• **Excused Absences:**

- (1) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
  - (a) Due to the pupil's illness.
  - (b) Due to quarantine under the direction of a county or city health officer.
  - (c) For the purpose of having medical, dental, optometric, 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 for by law.
  - (f) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
  - (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, 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.
  - (h) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - (i) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
  - (j) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen
  - (k) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- (2) 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 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.
- (3) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (4) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (5) "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

• **Truancy:**

- (1) The first time a truancy report is issued, the pupil and, as appropriate, the parent or legal guardian, may be requested to attend a meeting with a school counselor or other school's designees to discuss attendance issue and develop plan to improve attendance.

- (2) The second time a truancy report is issued within the same school year, the pupil may be given a warning by a peace officer pursuant to Penal Code section 830.1. The pupil may also be assigned to an afterschool or weekend study program located within the same county as the pupil's school.
- (3) The third time a truancy report is issued within the same school year, the pupil shall be classified as a habitual truant and may be required to attend an attendance review board or a truancy mediation program pursuant to EC 48263.
- (4) The fourth time truancy is issued within the same school year, the pupil may be within jurisdiction of the Juvenile Court that may adjudge the pupil to be a ward of the court pursuant to Welfare and Institutions Code section 601.

#### **FINGERPRINTING PROGRAM-EC 32390**

The District does not offer a voluntary fingerprinting program.

#### **SEX EQUITY IN CAREER COUNSELING AND COURSE SELECTION-EC 221.5(d)**

Commencing in Grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

#### **COLLEGE ADMISSION REQUIREMENTS AND TECHNICAL EDUCATION-EC 51225.3, 51229**

For students who wish to continue their education after high school, the State of California offers community colleges, California State Universities (CSU), and Universities of California (UC).

Information pertaining to college admission requirements, information about University of California and California State University websites, information about technical information and the availability of school counselors to help students in choosing appropriate high school courses can be found online at [www.smusd.org](http://www.smusd.org), on the High School Counseling Department page, Course Catalog.

For the graduating classes of 2016-17 through 2018-19, the District does not allow a career technical education course to satisfy the visual/performing arts or world language graduation requirement. Beginning with the graduating class of 2019-20, the District will allow successful completion of 10 credits of a career technical education course to satisfy 1 year of World Language or visual/performing arts. More information about high school graduation requirements and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California, as well as a complete list of career technical education courses offered by the District that satisfy the subject matter requirements for admission to the California State University and the University of California can be found online at [www.smusd.org](http://www.smusd.org), on the High School Counseling Department page, Course Catalog.

In order to attend a community college, students need only be a high school graduate or 18 years of age. In order to attend a CSU, students have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if the student's GPA is 3.0 or above. In order to attend a UC, students must meet coursework requirements, obtain the necessary GPA and test scores, or rank in the top four percent at a participating high school, or qualify by examination alone. Students may also transfer to a CSU or UC after attending community college. For more information on college admission requirements, please refer to the following websites.

[www.cccco.edu](http://www.cccco.edu) – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

[www.assist.org](http://www.assist.org) – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

[www.csumentor.edu](http://www.csumentor.edu) – This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

[www.universityofcalifornia.edu](http://www.universityofcalifornia.edu) – This massive website offers information regarding admissions, online application, and links to all UC campuses.

**FINANCIAL ASSISTANCE FOR ADVANCED PLACEMENT FEES-EC 48980(j), 52242**

A school district may help pay for all or part of the costs of one or more advanced placement examinations charged to economically disadvantaged pupils.

**TEACHER QUALIFICATIONS**

Parents or guardian of all pupils may request specified professional qualifications of the student's classroom teacher(s) and assigned paraprofessional(s).

**EMPLOYEE INTERACTIONS WITH PUPILS – EC 44050**

Employees are prohibited from establishing personal relationships with students that are unprofessional and thereby inappropriate. Examples of unprofessional relationships include, but are not limited to: employees fraternizing or communicating with students as if employees and students were peers such as writing personal letters or e-mails; calling students on cell phones or allowing students to make personal calls to them unrelated to homework or class work; sending inappropriate pictures to students; discussing or revealing to students personal matters about their private lives or inviting students to do the same (other than professional counseling by a school counselor); and engaging in sexualized dialogue, whether in person, by phone, via the Internet, or in writing. This information is available at [www.smusd.org](http://www.smusd.org), Human Resources Department, Annual Notification Packet.

**UNIFORM COMPLAINT PROCEDURES-5 C.C.R. 4622**

The District has adopted a Uniform Complaint Procedure. The District shall follow uniform complaint procedures when addressing complaints involving adult education programs, categorical aid programs, migrant child education, career technical education training programs, child care and development programs, allegations of unlawful discrimination, harassment, intimidation, or bullying, lactation accommodations, non-compliance with school safety planning requirements, pupil fees, courses of study, instructional minutes for physical education, local control accountability plans, any deficiencies related to preschool health and safety issues for a California state preschool program, and matters pertaining to the right of foster youth, homeless youth, former juvenile court school pupils, and children of military families. Information regarding the Uniform Complaint Procedure, including the individual responsible for processing a Uniform Complaint can be found online at [www.smusd.org](http://www.smusd.org), Board Policy and Administrative Procedure 1312.3.

**PARENT ATTENDANCE OF SUSPENDED STUDENTS DURING SCHOOL DAY-EC 48900.1**

The District does have a policy authorizing teachers to require the parent or guardian of a suspended pupil to attend a portion of a school day in the class of the suspended pupil. More information can be found online at [www.smusd.org](http://www.smusd.org), Board Policy 5144.1.

**PUPIL INSURANCE FOR ATHLETIC TEAMS-EC 32221.5**

The District operates an interscholastic athletic team or teams and is required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health programs. Information about these programs may be found online on the Athletics Department page of the High School website.

**SCHOOL ACCREDITATION-EC 35178.4**

The District will notify each parent or guardian of a pupil in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school district's or school's internet website, or by any combination of these methods.

**PUPIL HEALTH-ORAL HEALTH ASSESSMENT-EC 49452.8**

By May 31 of the school year, pupils when first enrolled in public school are required to provide proof of an oral health assessment (conducted within 12 months before enrollment) by a licensed dentist or other licensed or registered dental health professional or provide written notice why an oral health assessment by a licensed dentist or other registered dental health professional cannot be completed. Additional information regarding the importance of oral health is included within this Annual Notification on form 13, Oral Health Notification Letter.

**PUPIL RECORDS; NOTIFICATION OF RIGHTS-20 U.S.C. 1232g; EC 49063, 49068, 49069, 49073**

Parents, pupils 18 and over, pupils 14 and over that are both homeless and an unaccompanied youth, and individuals who have completed and signed a Caregiver's Authorization Affidavit, have rights concerning pupil records under Education Code section 49063. These rights include:



- The right to inspect and review the student's education records within five (5) business days of the day the school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will forward requests to the Custodian of Records. The Custodian of Records will make arrangements for access and notify the parent or eligible student.
- The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, the District shall disclose education records without parental consent.
- When a student moves to a new district, the District will forward the student's records upon the request of the new school district within 10 school days.
- A foster family agency with jurisdiction over a currently enrolled or former pupil, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver who has direct responsibility for the care of a pupil may access the current or most recent records of grades, transcripts, attendance, discipline, online communications on school platforms, any IEPs or Section 504 plans maintained by the responsible LEA of that pupil. The above-referenced individuals may access the pupil records listed above solely for the purpose of monitoring the pupil's educational progress, updating and maintaining the pupil's education records as required by Welfare and Institutions Code section 16010, and to ensure the pupil has access to educational services, supports and activities, including enrolling the pupil in school, assisting the pupil with homework, class assignments, and college and scholarship applications, and enrolling the pupil in extracurricular activities, tutoring and other afterschool or summer enrichment programs.

"Student Records" do not include:

- Instructional, supervisory or administrative notes by District staff that are made only for that staff member or his/her substitute
- Records of a law enforcement unit that were created for use by the law enforcement unit
- Employee records made for personnel use
- Records of a doctor, psychologist, psychiatrist or other treatment provider and/or assistant regarding a student who is 18 or older or who is attending a postsecondary educational institution. In this case, "treatment" does not include remedial instructional measures.

Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

#### **CONCUSSION AND HEAD INJURIES; OPIOIDS-EC 49475, 49476**

Pursuant to the athletic programs offered by the District, (apart from athletic activity during the regular school day or as part of a physical education course) the District will provide each student athlete's parent and guardian with a "concussion and head injury" information sheet, included within this notification. The sheet shall be signed and returned by the athlete's parent or guardian before the athlete may participate in practice or competition.

Also, pursuant to the athletic programs offered by DISTRICT (apart from athletic activity during the regular school day or as part of a physical education course) DISTRICT shall annually give the Opioid Factsheet for Patients to each athlete. The athlete, and if the athlete is 17 years of age or younger, the athlete's parent or guardian shall sign the document acknowledging receipt of the factsheet and return it to the district before the athlete initiates practice or competition.

### **SAFE PLACE TO LEARN ACT-EC 234, 234.1**

The District has adopted policies pertaining to the following:

- 1) Prohibition of discrimination and harassment based on characteristics set forth in EC § 220 and Penal Code 422.55;
- 2) Process for receiving and investigating complaints of discrimination and harassment;
- 3) Maintenance of documentation of complaints and their resolution;
- 4) Process to ensure complainants are protected from retaliation and the identity of a complainant is kept confidential if appropriate; and
- 5) Identification of a responsible LEA officer to ensure compliance.

The District's antidiscrimination and anti-harassment policies are posted in schools and offices and available online at [www.smusd.org](http://www.smusd.org), Board Policies and Administrative Procedures 5145.3, 5145.7, 1312.3.

### **PUPIL PROTECTIONS RELATING TO IMMIGRATION AND CITIZENSHIP STATUS – EC 234.7**

Except as required by state or federal law or as required to administer a state or federally supported educational program, DISTRICT shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

Should any request be made for information or access to a school-site by an officer or employee of a law enforcement agency for the purpose of enforcing immigration laws, DISTRICT's Superintendent shall report to the governing board any such requests in a timely manner that ensures the confidentiality and privacy of any potentially identifying information.

If DISTRICT becomes aware that a pupil's parent or guardian is not available to care for the pupil, DISTRICT staff shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. DISTRICT will not contact Child Protective Services to arrange for the pupil's care unless it is unable to arrange care through the use of emergency contact information provided by the parents or other information provided by the parent or guardian.

All children have a right to a free public appropriate education, regardless of immigration status or religious beliefs. Therefore, DISTRICT has fully adopted model policies published by the Attorney General's Office entitled "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" (<https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>). These policies include, but are not limited to, refraining from collecting national origin information during the school enrollment process, accepting all forms of evidence listed in California Education Code section 48002 for the purpose of verifying student age, and not including citizenship status, immigration status, place of birth, or any other information indicative of national origin as directory information. Please visit the State of California's Attorney General's "Know Your Rights" page for more information at <https://oag.ca.gov/immigrant/rights>.

### **AVAILABILITY OF PROSPECTUS-EC 49091.14**

Each school site shall create a prospectus that includes the curriculum, including titles, descriptions, and instructional aims of every course offered. The prospectus shall be made available upon request by parent or guardian.

### **DIRECTORY INFORMATION-EC 49073**

"Directory Information" includes one or more of the following items: student's name, address, telephone number, email address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the student. The District has determined that the following individuals, officials, or organizations may receive directory information:

- Certain school publications
- Outside organizations including, but not limited to, companies that manufacture class rings or publish yearbooks
- Military recruiters
- Post secondary educational institutions
- Outside governmental agencies

No information may be released to a private profit-making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations.

Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil's directory information. However, directory information related to homeless and unaccompanied youth will not be released without the express written consent for its release by the eligible pupil, his/her parent or guardian.

The District may disclose appropriately designated "directory information" as specified herein without written consent unless advised to the contrary in accordance with procedures.

Parents/guardians must notify the District in writing every year if they do not want the District to disclose directory information from their child's education records without prior written consent. See Optional Forms included within this notification.

Also, in accordance with Section 49073.2, the LEA shall not include the directory information or the personal information of a pupil or of a parent or guardian of a pupil in the minutes of a meeting of its governing body, except as required by judicial order or federal law, if a pupil who is 18 years of age or older or a parent or guardian of a pupil has provided a written request to the secretary or clerk of the governing body to exclude his or her personal information or the name of his or her minor child from the minutes of a meeting of the governing body.

Personal information includes a person's address, telephone number, date of birth, and email address.

#### **SURVEYS-EC 51513; 20 U.S.C. 1232h**

The District will notify parents or guardians of the need for their written permission before any test, questionnaire, survey or examination containing any questions about their child's personal beliefs or practices (or the pupil's family's beliefs or practices) in sex, family life, morality and religion, may be administered to any pupil in kindergarten, or grades 1-12, inclusive. Notification will include specific or approximate dates of when any survey containing sensitive, personal information is to be administered and provide an opportunity for parents to opt pupils out of participating in the survey. Upon request, parents or guardians will be given the opportunity to inspect any third party survey.

#### **ACCESS BY MILITARY RECRUITERS-20 U.S.C. 7908**

The District provides military recruiters access to secondary school students' names, addresses and telephone listings upon request by the military recruiters. A pupil or parent may request that this information not be released to military recruiters without prior written parental consent. See Optional Forms included within this notification.

#### **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/>.

#### **CAL GRANT PROGRAM-EC 69432.9**

All pupils enrolled in grade 12 will be deemed Cal Grant applicants, unless they, or their parent or guardian if the pupil is 17 years or younger, specifically opts-out of such notification. The District will electronically submit each 12<sup>th</sup> grade pupil's grade point average in the pupil's 12<sup>th</sup> grade school year. A pupil of 18 years of age or a parent or guardian of a pupil 17 years or younger, may, by written statement, opt out of the Cal Grant program.

#### **OFF-CAMPUS LUNCH-EC 44808.5**

The governing board of the District pursuant to Section 44808.5 of the Education Code, has decided that pupils enrolled in grade 12 may be allowed to leave the school grounds during the lunch period only, provided they meet district established criteria and that written permission from the parent or guardian is on file (SMUSD Board Policy 5112.5). Section 44808.5 of the Education Code states: "Neither the school district nor any officer or employee thereof 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."

#### **PUPIL FEES-EC 49010**

The District maintains a policy concerning the provision of a free education to pupils and for filing a complaint of non-compliance pursuant to the Uniform Complaint Procedures with the principal of the school alleged to be in non-compliance. Information regarding the Uniform Complaint Procedure can be found online at [www.smusd.org](http://www.smusd.org), Board Policy and Administrative Procedure 1312.3.

#### **RIGHTS OF PARENTS OR GUARDIANS TO INFORMATION-EC 51101**

Parents/guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

- Within a reasonable period of time following making the request, to observe the classroom or classrooms in which their child is enrolled or for the purpose of selecting the school in which their child will attend pursuant to intra-district or inter-district pupil attendance policies or programs.
- Within a reasonable time of their request, to meet with their child's teacher or teachers and the principal of the school in which their child is enrolled.
- To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher. Although volunteer parents may assist with instruction, primary instructional responsibility shall remain with the teacher.
- To be notified on a timely basis if their child is absent from school without permission.
- To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of the school that their child attends on standardized statewide tests.
- To request a particular school for their child, and to receive a response from the school district. This paragraph does not obligate the school district to grant the parent's request.
- To have a school environment for their child that is safe and supportive of learning.
- To examine the curriculum materials of the class or classes in which their child is enrolled.
- To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
- To have access to the school records of their child.
- To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
- To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
- To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
- To participate as a member of a parent advisory committee, school-site council, or site-based management leadership team, in accordance with any rules and regulations governing membership in these organizations. In order to facilitate parental participation, school-site councils are encouraged to schedule a biannual open forum for the purpose of informing parents about current school issues and activities and answering parents' questions. The meetings should be scheduled on weekends, and prior notice should be provided to parents.
- To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
- To be notified, as early in the school year as practicable pursuant to EC § 48070.5, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child. Parents and guardians of pupils, including those parents and guardians whose primary language is not English, shall have the opportunity to work together in a mutually supportive and respectful partnership with schools, and to help their children succeed in school. Each governing board of a school district shall develop jointly with parents and guardians, and shall adopt, a policy that outlines the manner in which parents or guardians of pupils, school staff, and pupils may share the responsibility for continuing the intellectual, physical, emotional, and social development and well-being of pupils at each school-site.
- The policy shall include, but is not necessarily limited to, the following:
  1. The means by which the school and parents or guardians of pupils may help pupils to achieve academic and other standards of the school.

2. A description of the school's responsibility to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all pupils to meet the academic expectations of the school.
3. The manner in which the parents and guardians of pupils may support the learning environment of their children, including, but not limited to, the following:
  - (a) Monitoring attendance of their children.
  - (b) Ensuring that homework is completed and turned in on a timely basis.
  - (c) Participation of the children in extracurricular activities.
  - (d) Monitoring and regulating the television viewed by their children.
  - (e) Working with their children at home in learning activities that extend learning in the classroom.
  - (f) Volunteering in their children's classrooms, or for other activities at the school.
  - (g) Participating, as appropriate, in decisions relating to the education of their own child or the total school program.

#### **CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS-EC 52052, 60640**

The California Assessment of Student Performance and Progress ("CAASPP") System was established on June 1, 2014. Commencing with the 2014-2015 school year, the CAASPP System includes Smarter Balanced Summative assessments in English Language Arts and Math in grades three through eight and eleven and California Alternate Assessments ("CAA") in English Language Arts and Math in grades three through eight and eleven for students with significant cognitive disabilities. The California Science Test ("CAST") for science is required for all students in grades five, eight and once in high school unless the student's IEP indicates administration of the CAA. The District will not administer a standards based test in Spanish for reading/language arts in grades two through eleven for Spanish-speaking English learners who either receive instruction in their primary language or have been enrolled in a school in the United States for less than twelve months. A parent or guardian may make a written request to excuse his or her child from any or all parts of the assessment.

#### **DRESS CODE/GANG APPAREL-EC 35183**

Students are expected to come to school appropriately dressed. Students failing to dress appropriately will be asked to change. The District's dress code is available at [www.smusd.org](http://www.smusd.org), Board Policies and Procedures 5132, 5136.

#### **SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN-EC 35183.5**

The District allows for outdoor use of sun-protective clothing and the use of sunscreen by students during the day. More information is available at [www.smusd.org](http://www.smusd.org), Board Policies and Procedures 5132.

#### **BILINGUAL EDUCATION-EC 52173**

The District will notify the parents or guardians of pupils who will be enrolled in a bilingual education program. The notice will contain a simple description of the program, inform the parent or guardian they have the right and are encouraged to visit the class in which their pupil will be enrolled and to have a school conference to explain the purpose of such an education, and that they have the right not to have their pupil enrolled in the program. Notice shall be in English and the primary language of the pupil.

#### **MARKETING: DISCLOSURE OF STUDENT INFORMATION-20 U.S.C. 1232g**

The District makes student directory information available in accordance with state and federal laws. This means that each student's name, birthday, address, telephone number, major course of study, participation in school activities, dates of attendance, awards, and the previous school attendance may be released to agencies such as the local PTA or Parent Club, or the military services. If you do not wish this information released, please sign and return the form, *Student Directory Information Opt Out*, to the school.

#### **ENGLISH IMMERSION PROGRAM-EC 310**

In order to facilitate parental choice of program, the District will inform any parent or guardian of a pupil who is to be placed in a structured English immersion program and will notify the parent or guardian of an opportunity to apply for a parental exception waiver.

**GATE PROGRAMS-5 C.C.R. 3831**

The District's written plan for its GATE program includes procedures to inform parents or guardians of their pupil's participation or non-participation in the GATE program. Information is available at [www.smusd.org](http://www.smusd.org), Department of Elementary Education.

**MIGRANT EDUCATION-EC 54444.2**

The District receives migrant education services and will actively solicit parental involvement in the planning operation and evaluation of its programs through the establishment of a parent advisory council. Parents have the sole authority to determine the composition of the council.

**TITLE 1-20 U.S.C. 6311**

Title 1 permits parents to request information regarding the professional qualifications of the student's classroom teachers, including the following:

- Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

In addition to the information that parents may request regarding their child's teacher, parents may also request:

- Information on the level of achievement of the parent's child in each of the State academic assessments, and
- Timely notice that the parent's child has been assigned, or has been taught for four (4) or more consecutive weeks by a teacher who is not highly qualified.

Parents may obtain this information by logging on to [www.ctc.ca.gov/](http://www.ctc.ca.gov/) and looking up the child's teacher's credentials by entering the first and last name.

The law also requires that parents be notified when a teacher who is not *highly qualified* is hired and teaches the child *four (4) consecutive weeks or more*.

**TOBACCO-FREE CAMPUS-HSC 104420, 104495**

The District receives Tobacco Use Prevention funding to adopt and enforce a tobacco-free campus policy. Information about the policy and enforcement procedures may be found online at [www.smusd.org](http://www.smusd.org), in Board Policy and Administrative Procedure 5131.32. Health and Safety Code section 104495 prohibits smoking and use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground. The prohibition does not apply to a public sidewalk located within 25 feet of a playground.

**UNSAFE SCHOOL CHOICE-5 C.C.R. 11993(k); 20 U.S.C. 7912**

Students shall be allowed to attend a safe school. The District shall notify parents or guardians of pupils in elementary and/or secondary schools considered to be "persistently dangerous" pursuant to California Department of Education guidelines and of available options for attendance at a safe school. "Any firearms violations" is an event that must be considered in determining whether a school site is at risk of being classified as persistently dangerous.

**PUPIL RECORDS: SOCIAL MEDIA-EC 49073.6**

The District is considering a program to gather or maintain in its records any information obtained from social media of any enrolled pupil. Pupils and their parents or guardians shall be provided an opportunity for public comment at a regularly scheduled public meeting of the governing board. If the District's governing board adopts such a program, the District will provide each pupil and their parent or guardian with information regarding the program as well as the process for destroying such information within one year after the pupil turns 18 or within one year after the pupil is no longer enrolled in the District, whichever occurs first.

**TRANSFER OF PUPILS CONVICTED OF VIOLENT FELONY OR MISDEMEANOR – EC 48929, 48980(m)**

The governing board of San Marcos Unified School District has a policy to transfer students convicted of violent felonies or misdemeanors to other schools in the district if the pupil to be transferred and the victim of the crime for which the pupil was convicted are enrolled at the same school. For more information, contact the Department of Student Services.

**SCHOOL ACCOUNTABILITY REPORT CARD-EC 35256, 35258**

The School Accountability Report Card provides parents and other interested members of the community a variety of information about the school, its resources, its successes, and the areas where it needs improvement. On or before February 1 of each year, an updated copy of the School Accountability Report Card for each District operated school can be found on the District's website at [www.smusd.org](http://www.smusd.org), under Other Important Links. A hard copy will also be provided to any student's parent or guardian upon request.

**COMPREHENSIVE SCHOOL SAFETY PLAN-EC 32286, 32288**

Each school is required to develop a school safety plan, which includes a comprehensive disaster preparedness plan. Copies of the school safety plan are available to read at the school office during normal business hours.

**DUTY CONCERNING CONDUCT OF PUPILS-EC 44807**

All students participating in District programs or activities will comply with District policies, rules and regulations, pursue their studies and obey the valid authority of District staff. Any student who feels another participant is disrupting the student's learning environment is strongly encouraged to report that misconduct to a District staff member. The District staff member will, in turn, report to the designated District staff member in charge of handling student complaints. District staff expects all students enrolled in District programs or activities to conduct themselves in a manner that enriches the educational environment and does not disrupt the learning process. The District believes all students enrolled in District programs or activities should experience a positive learning environment. All students participating in District programs or activities are expected to cooperate by respecting the rights of other participants, which includes the right to a learning environment free from disruptions. Student conduct includes conduct on school grounds, going to and from school and during recess and lunch periods.

Every teacher has a duty to hold pupils accountable for their conduct on the way to and from school, and on the playground, or during recess. A teacher, vice principal, principal or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree or physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

**DANGEROUS OBJECTS-PENAL CODE 417.27**

The District prohibits dangerous objects on campus, such as laser pointers and B.B. guns, unless possession is for valid instructional or other school related purpose.

**INVESTING FOR FUTURE EDUCATION-EC 48980(d)**

The District encourages the investment by parents or guardians for higher education for their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.

**CHILD ABUSE AND NEGLECT REPORTING-PENAL CODE 11164**

District staff is required by law to report cases of child abuse and neglect to the appropriate law enforcement agency when they have a reasonable suspicion that a child has been a victim of child abuse and/or neglect. Reasonable suspicion does not require certainty that the child abuse and/or neglect has occurred. The reporting staff member's name and report are confidential. The fact that a child is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

**DISRUPTION IN PUBLIC SCHOOL OR MEETING-EC 32210**

Any person who willfully disturbs any public school or public school meeting is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500).

#### **MEDICAL RECORD SHARING-HSC 120440**

Medical information may be shared with local health departments and the State Department of Public Health. Any information shared shall be treated as confidential medical information. The student, parent, or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; and the student, parent, or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both. More information regarding medical record sharing including information regarding the immunization registry with which the information may be shared may be found by contacting the Department of Student Services at the District Office, 760-752-1289.

#### **MEGAN'S LAW-PENAL CODE-290**

Information about registered sex offenders in California and how to protect their families can be found at <http://meganslaw.ca.gov/>.

#### **LIABILITY OF PARENT OR GUARDIAN FOR WILLFUL PUPIL MISCONDUCT-EC 48904**

The parent or guardian of any minor may be held financially liable for the pupil's willful misconduct which results in injury or death to any pupil or person employed or volunteering for the District or injury to real or personal property belonging to the District or a District employee. The parent or guardian of a minor shall be liable to the District for all property belonging to the District loaned to the minor and not returned upon demand of an employee of the District authorized to make the demand. The District shall notify the parent or guardian of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma or transcript pursuant to this Section.

#### **CHILDREN IN HOMELESS SITUATIONS-42 U.S.C. 11432**

The District has appointed a liaison(s) for homeless children responsible for ensuring the dissemination of public notice of the educational rights of students in homeless situations.

- 1) Liaison contact information:  
Director of Student Services  
SMUSD  
255 Pico Ave.  
San Marcos, CA 92069  
760-752-1220
- 2) Circumstances for eligibility include:
  - a. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
  - b. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings;
  - c. Children or youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
  - d. Migratory children who qualify as homeless because the children are living in conditions described in a-c above.
- 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's records, or legal guardianship papers;
- 4) Right to education and other services including to participate fully in all school activities and programs for which child is eligible, to qualify automatically for school meal programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment;
- 5) That no homeless youth shall be required to attend a separate school for homeless children or youth; and
- 6) That homeless youth shall not be stigmatized by school personnel.

More information can be found online at [www.smusd.org](http://www.smusd.org), Board Policy and Procedure 6173.

#### **HOMELESS YOUTH IN AFTER SCHOOL PROGRAMS – EC 8483.1**

The District currently operates an afterschool program pursuant to the After School Education and Safety Program Act of 2002. The District provides priority enrollment to students as follows. First priority shall go to pupils who are identified by the program as homeless youth, as defined by the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. § section 11434a), at the time that they apply for enrollment or at any time during the school year, and to pupils who are identified by the program as being in foster care. For programs serving middle and junior high school pupils, second priority shall go to pupils who attend daily. The District does not require pupils applying for or participating in the program to verify they are homeless or foster youth. Eligible students may receive priority through self-certification or



through the District liaison for homeless children if the District maintains a waiver on file allowing for the release of this information.

#### **ACCEPTABLE USE OF TECHNOLOGY**

The District's policy on the acceptable use of technology on school campuses and access by pupils to the Internet and on-line sites is included in this Annual Notification Packet.

#### **CUSTODY ISSUES**

Schools are not a forum to settle custody disputes, the school has no legal jurisdiction to refuse a biological parent access to his or her child, and the child's school records unless a signed restraining order or proper divorce papers specifically setting forth limitations are on file at the school office. Custody disputes must be handled by the courts.

#### **SCHOOL VISITING PROCEDURES – EC 51101(a)(12)**

The District policy concerning visiting procedures may be found online at [www.smusd.org](http://www.smusd.org), Board Policy 1250. Penal Code section 627.6 requires schools to post at every entrance a notice of visitor registration requirements, registration hours, registration location, and penalties for the violation of the registration requirements.

#### **WALKING OR RIDING A BIKE TO SCHOOL-VC 21212**

The District requests that parents or guardians of children who walk or ride their bike to school plan a safe route to school with their children. The route shall not involve shortcuts through private property and all students are expected to exhibit good behavior. Furthermore, a student under 18 years of age may be fined for not wearing a properly fitted and fastened helmet, and the parent or legal guardian of a minor who violates this section shall be jointly and severally liable with the minor for the fine.

#### **MATHEMATICS PLACEMENT POLICY-EC 51224.7**

The District utilizes a fair, objective and transparent mathematics placement policy that takes multiple objective academic measures of pupil performance into consideration, annually examines aggregate pupil placement data to ensure pupil qualification for progressing through mathematics courses and offers clear and timely recourse for any pupil or parent or guardian who questions the placement. More information about the District's mathematics placement policy is available on [www.smusd.org](http://www.smusd.org), Board Policy and Procedure 6152.1.

#### **CYBER SEXUAL BULLYING –EC 234.2**

The District may suspend or expel students who engage in cyber sexual bullying consistent with the District's disciplinary procedures described above. The California Department of Education has developed information regarding cyber sexual bullying available at <http://www.cde.ca.gov/lr/ss/se/bullyingprev.asp>

#### **LOCAL SCHOOL WELLNESS POLICY – EC 49432**

The local school wellness policy for each District school is available at [www.smusd.org](http://www.smusd.org), Board Policy and Administrative Procedure 5030. In addition, a summary of the physical activity laws and regulations applicable to the District schools is available at [www.smusd.org](http://www.smusd.org), Board Policy and Administrative Procedure 6142.7.

#### **ILLEGAL RECORDING OF CONFIDENTIAL COMMUNICATION – PC 632, EC 51512**

It is unlawful to intentionally eavesdrop or record the confidential communication between two or more parties without the consent of all parties to the confidential communication. The eavesdropping or recording of a confidential communication includes by means of any electronic amplifying or recording device whether the communication is carried on among the parties in the presence of one another or by means of a telegraph, telephone, or other device, except a radio. Such an act is punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or imprisonment in the county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment. Additionally, pursuant to Education Code section 51512, the use by any person, including a student, of any electronic listening or recording device in any classroom without prior consent of the teacher and the principal is prohibited. Any person, other than the student, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation is subject to DISTRICT's disciplinary procedures.

#### **PUPIL COLLECTION OF DEBT-EC 49014**

A pupil or former pupil, unless emancipated at the time the debt is incurred, shall not owe or be billed for a debt owed to an LEA.

An LEA cannot take negative action against a pupil or former pupil for a debt owed, including, but not limited to, all of the following:

- Denying full credit for any assignments for a class;
- Denying full and equal participation in classroom activity;
- Denying access to on-campus educational facilities, including, but not limited to, the library;
- Denying or withholding grades or transcripts;
- Denying or withholding a diploma;
- Limiting or barring participation in an extracurricular activity, club, or sport; and
- Limiting or excluding from participation in an educational activity, field trip, or school ceremony

#### **ELECTRONIC PRODUCTS OR SERVICES THAT DISSEMINATE ADVERTISING-EC 35182.5**

If DISTRICT enters into a contract for electronic products or services that requires the dissemination of advertising to students, the district must provide written notice to the parents or guardians of the students that the advertising will be used in the classroom or other learning centers.

#### **ACCESS TO STUDENT MENTAL HEALTH SERVICES-EC 49428**

DISTRICT shall notify pupils and parents or guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both.

To notify parents or guardians, a school shall use at least two of the following methods:

- Distribute the information in a letter (electronic or hardcopy)
- Include the information in the annual parent notification
- Post the information on the school's Internet Web site or page

To notify pupils, a school shall use at least two of the following methods:

- Distribute the information in a document or school publication
- Include the information in pupil orientation materials or in a pupil handbook at the beginning of the year
- Post the information on the school's Internet Web site or page

#### **INFORMATION ABOUT COMPLETION OF APPLICATIONS FOR STUDENT FINANCIAL AID-EC 51225.8 (OPTIONAL UNTIL 2020-21 SCHOOL YEAR)**

Commencing with the 2020-21 school year, the governing board/body of school districts and charter schools must ensure that each student, at least once before the pupil enters grade 12, receives information on how to properly complete and submit either the FASFA or California Dream Act application. A paper copy of the FAFSA or the California Dream Act application must be provided to a pupil or parent/guardian upon request.

This notice, although optional this year, will be mandatory for years to follow. The manner in which this information is provided shall be at the discretion of the governing board of the school district or charter school.

SAN MARCOS UNIFIED SCHOOL DISTRICT  
BOARD POLICY

STUDENTS

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SEXUAL HARASSMENT OF PUPILS

5145.7

Page 1 of 2

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- A. Harassment of pupils on the basis of sex/gender (including gender identity and gender expression) is unlawful. This includes harassment based on a pupil's actual or perceived gender. (Education Code 231.5)
- B. Employees and pupils shall not engage in conduct constituting sexual harassment. The District will not condone or tolerate sexual harassment. The Superintendent or designee shall ensure that students receive age-appropriate information related to sexual harassment. Complaints shall be kept confidential except as necessary to carry out the investigation, and will be processed according to Administrative Procedure #5145.7 established by the Governing Board. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.
- C. The District will take appropriate disciplinary action against all employees or pupils found to have engaged in sexual harassment.
  - 1. Any student who engages in sexual harassment of anyone at school or at a school related activity shall be subject to disciplinary action up to and including expulsion. For students in grades K-3, this disciplinary action shall depend on the maturity of the students and the circumstances involved. For students in grades 4 through 12, the disciplinary action may include suspension and/or expulsion.
  - 2. Any employee who permits, engages in, or fails to report sexual harassment, shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.
- D. Sexual harassment of pupils means unwelcome sexual advances, requests for sexual favors and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the educational setting, under any of the following conditions:
  - 1. Submission to such conduct is explicitly or implicitly made a term or condition of a pupil's academic status or progress.
  - 2. Submission to or rejection of such conduct by the pupil is used as the basis for any academic decision affecting such pupil.
  - 3. Such conduct has the purpose or effect of having a negative impact upon the pupil's academic performance, or of creating an intimidating, hostile, or offensive educational environment.
  - 4. Submission to, or rejection of, the conduct by the pupil is used as the basis for any decision affecting the pupil regarding benefits and services, honors, programs, or activities available at or through the District.
- E. Forms of sexual harassment including the fact that sexual harassment could occur between people of the same gender, may involve but are not limited to the following:
  - 1. Oral harassment such as derogatory comments, jokes or slurs spreading sexual rumors, verbal abuse or degrading descriptions;
  - 2. Physical harassment such as unnecessary, unwelcome or offensive touching, or impeding or blocking movement;

3. Visual harassment such as derogatory or offensive posters, cards, cartoons, graffiti, sexually suggestive objects, drawings, or gestures, including, but not limited to, images communicated electronically and/or through internet social media, or other technologies using a telephone, computer, or any wireless communication device; and
  4. Unwelcome sexual advances, flirtations, requests, or demands for sexual favors, and other oral or physical conduct of a sexual nature.
- F. Student instruction and information about sexual harassment should include:
1. A clear message that students do not have to endure sexual harassment;
  2. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained; and
  3. Information about the person(s) to whom a report of sexual harassment should be made.
- G. The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the District to monitor, address and prevent repetitive harassing behavior in its schools. The Board hereby designates the Assistant Superintendent of Instructional Services as the Compliance Officer to oversee the District's handling of complaints regarding sexual harassment of pupils.

Legal Reference:Civil Code:

- 51.9 Liability for sexual harassment; business, service and professional relationships  
 1714.1 Liability of parents/guardians for willful misconduct of minor

Education Code

- 200-262.4 Prohibition of discrimination on the basis of sex, especially:  
 212.5 Sexual harassment,  
 230 Particular practices prohibited  
 231.5 Sexual harassment policy, dissemination  
 48900.2 Additional grounds for suspension or expulsion; sexual harassment  
 48904 Liability of parent/guardian for willful student misconduct  
 48980 Notice at beginning of term

Code of Regulations, Title 5

- 4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

United States Code, Title 20

- 1681-1688 Title IX, 1972 Education Act Amendments, Discrimination

Legal Reference Continued:United States Code, Title 42

- 2000d - 2000d-7 Title VI Civil Rights Act of 1964  
 2000e - 2000e-17 Title VII, Civil Rights Act of 1964 as amended

Code of Federal Regulations, Title 34

- 106.1 - 106.71 Nondiscrimination on the basis of sex in education programs  
 Franklin v. Gwinnet County Schools (1992) 112 S. Ct. 1028  
 Doe v. Petaluma city School District (1995, 9th Cir.) 54 F.3d 1447  
 Clyde K. v. Puyallup; School District #3 (1994) 35 F.3d 1396  
 Oona R.-S. etc. v. Santa Rosa City Schools et al (1995) 890 F.Supp. 1452  
 Patricia H. v. Berkeley Unified School District (1993) 830 F.Supp. 1288  
 Rosa H. v. San Elizario Ind. School District, 887 F.Supp. 140, 143 (W.D. Tex. 1995)  
 Davis v. Monroe County Board of Education (1999, 526 U.S. 629)  
 Kelson v. City of Springfield, Oregon (1985, 9th Cir.) 767 F.2d 651  
 Reese v. Jefferson School District, (2001) 208 F.3d 736  
 Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989  
 Nabozny v. Podlesny, (1996, 7th Cir.) 92 F.3d 446

Adoption History:

Initial Adoption 05/10/93  
 Reviewed/Revised: 03/24/97  
 09/27/99  
 05/23/05  
 07/14/08  
 01/14/13

Dear Parents/Guardians,

The No Child Left Behind Act of 2001 and the McKinney-Vento Aid Act are two pieces of federal legislation designed to assure that students without homes receive educational opportunities. This letter will inform you of the educational rights of homeless students. Under the federal law, homeless youth are those students who lack an adequate, regular and fixed nighttime residence. The definition includes children and youth who----

- Live with a friend, with a relative or with another person because they lost their homes and/or cannot afford housing;
- Live in a motel or hotel because they lack adequate alternative lodging;
- Live in the emergency or transitional shelters, in domestic violence shelters, or in another like setting.

It is the intention of the federal legislation, as much as possible, to keep homeless students in the schools they attended when permanently housed or in which they were last enrolled, unless doing so is against the parents' or guardians' wishes.

Homeless students----

- May stay in those schools the entire time they are homeless and until the end of any academic year in which they move into permanent housing, and
- Must be provided, to the extent feasible, at parent/guardian request, with transportation to and from school with relation to the students' temporary residences.

Parents/guardians of homeless students also may choose to enroll their children in any public school that students who live in the attendance area of the homeless family's temporary residence are eligible to attend. If the school district decides to send a homeless student to a school other than that school, the district must provide the parent/guardian with a written explanation of that decision and of the parent's /guardian's right of appeal. During an appeal process, the homeless student will be allowed to attend the school chosen by the parent/guardian.

Homeless students must be allowed to enroll in school and attend classes even if they do not have proof of residency or all of the required medical records. Personnel at the school of enrollment will work with the parents/guardians to obtain all required documents.

Please direct any questions related to the education of homeless students to individual school liaisons.



*SAN MARCOS UNIFIED SCHOOL DISTRICT  
2019-20*

**ANNUAL NOTIFICATION OF  
THE UNIFORM COMPLAINT PROCEDURES (UCP)**

For students, employees, parents or guardians of its students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties

The *San Marcos Unified School District* has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees and the non-compliance of our Local Control and Accountability Plan (LCAP).

The *San Marcos Unified School District* shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our local board. Unlawful discrimination complaints may be based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or on 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 UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in Adult Education, Adult Education and Safety, Agricultural Vocational Education, Bilingual Education, Career Peer Assistance and Review Programs for Teachers, Career Technical And Technical Education and Training Programs, Child Care and Development, Child Nutrition, Compensatory Education, Consolidated Categorical Aid, Course Periods without Educational Content, Education of Pupils in Foster Care and Pupils who are Homeless, Every Student Succeeds Act/No Child Left Behind, Local Control Accountability Plans, Migrant Education, Physical Education Instructional Minutes, Pupil Fees, Reasonable Accommodations to a Lactating Pupil, Safety Plans, Special Education, State Preschool, After School Education and Safety, and Tobacco-Use Prevention Education.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fees or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

The District shall post a standardized notice of the educational rights of foster and homeless youth, as specified in Ed. Code §48853, 48853.5, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Complaints other than issues relating to pupil fees must be filed in writing with the following compliance officer:

Name and/or Title of Compliance Officer: Gina Bishop, Assistant Superintendent

Address: 255 Pico Ave., Suite 150, San Marcos, CA 92069

Telephone Number: (760) 752-1230

Complaints alleging discrimination must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the superintendent or his or her designee.

Complaints will be investigated and a written decision or report will be 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 LEA 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.

The complainant has a right to appeal the District's Decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the LEA's Decision. The appeal must include a copy of the complaint filed with the LEA and a copy of the LEA's Decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of the LEA's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

A copy of the *San Marcos Unified School District's* UCP policy and complaint procedures shall be available free of charge.





Dear Parents:

We all must cooperate to keep our schools safe and weapon-free. Thus we are asking for your cooperation in helping us enforce our strict weapons policy.

Under no circumstance should a student bring to school a knife, penknife, weapon, gun or imitation firearm, explosives or firecrackers, or other dangerous instrument, such as mace or pepper spray. Other items unsafe for children to bring to school because they could cause injury would include, but not be limited to: laser pointers, poppers, bottle/can openers, toy guns, scissors, or any items with sharp points. In the past several years, parents have sent knives with children to peel or cut lunch fruits. Please do the cutting or peeling at home. According to California Education Code 48915 and Board Policy, if your child brings a knife or any weapon to school, your child will be immediately suspended and may be required to attend an expulsion hearing before the District's Administration Hearing Panel.

It is important that you know and understand that this policy and its penalties apply to children in all grades, kindergarten through twelfth. We are asking that parents assist the schools in keeping all children safe by not allowing them to bring to school anything that is inappropriate or unsafe.

Please discuss this subject with your child, cut-off and return the bottom of this letter to the classroom teacher within one week of receipt of this notice. If you have any questions, please call the Principal or Assistant Principal.

Yours truly,

Principal

**Please Sign and Return Bottom Portion to School**

-----  
I certify that I have read and understand the school's Policy on Weapons and Dangerous Objects and have gone over it with my child.

Parent Name (Please Print): \_\_\_\_\_

Parent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Student's name (Please Print): \_\_\_\_\_

Student's signature: \_\_\_\_\_ Date: \_\_\_\_\_



## Student Technology Responsible Use Policy

### Purpose:

The purpose of this document is to outline San Marcos Unified School District's Responsible Use Policy as it relates to the use of technology by staff and students. Our community of staff and students use technology to access and share information, communicate with one another, and to create products, which convey understanding and have educational purpose. While we want our students to be active contributors in a globally connected environment, we need them to be safe, legal, and responsible. This Technology Responsible Use Policy supports our vision of digital citizenship. The policy applies to all users of San Marcos Unified School District computer networks, the resources made available by these networks, and all devices connected to these networks.

### General Policies:

- The purpose of a SMUSD user account is to provide access to the district's network and hosted programs to facilitate a seamless educational experience promoting 21st century literacy skills.
- Access is a privilege and involves user responsibility. Inappropriate use may result in cancellation of those privileges and disciplinary action.
- SMUSD accounts are owned by SMUSD. All digital files associated with user accounts may be retrieved by SMUSD staff at any time without prior notice and without permission of the user. SMUSD reserves the right to monitor all accounts in order to maintain system integrity and to ensure responsible use.
- Students should have no expectation of personal privacy in any matters stored in, created by, received, or sent through the SMUSD computer network or its hosted programs.
- A content filtering solution is in place to prevent access to sites that may contain inappropriate and/or harmful material including, but not limited to pornography, weapons, illegal drugs, gambling, and sites that pose a security risk.
- The SMUSD Technology Responsible Use Policy applies to users who connect via their own service (cell phones, mobile hot-spots, etc.). However, SMUSD cannot be held responsible for the content accessed through these services.

### Responsible Use and Digital Citizenship

**Respect Yourself:** I will select user names that are appropriate and will use appropriate language/content online.

**Protect Yourself:** I will not publish personal details, contact details, or a schedule of activities for myself or anyone else. I am responsible for activities initiated by and/or performed under my accounts. I understand it is my responsibility to appropriately secure my account login and password. I understand it is my responsibility to maintain and backup my own data. If I am uncertain whether a specific activity is permitted or appropriate, I will ask a teacher/administrator before engaging in that activity.

**Respect Others:** I will not use technologies to bully or tease others. I will not make audio or video recordings of students/employees without their prior permission. I understand that posing as someone else is illegal, and I will not pose as a user other than myself when online. I will be careful and aware when printing to avoid wasting resources.

**Protect Others:** I will help maintain a safe computing environment by notifying appropriate school officials of inappropriate behavior, vulnerabilities, risks, and breaches involving school/district technology.

**Respect Intellectual Property:** I will appropriately cite any and all use of websites, books, audio (including music), photos, videos, etc. I will respect all copyrights.

**Protect Intellectual Property:** I will not reuse, remix, or otherwise edit materials, resources, or other content that others produce without express permission.

# SMUSD Technology Responsible Use Policy

## **Appropriate Use of Digital Tools and Resources**

In accordance with our district mission, goals and vision for 21st century learning, our students may require accounts on third-party systems. Many of these accounts will be used at school for school-related projects and accessed outside of school for additional learning. The use of these accounts will help our students to master the effective digital communication and citizenship skills necessary for higher education and the workplace.

Guided classroom use of interactive web-based tools such as learning management systems, and educational social networking sites is the best way for students to learn how to use them safely and responsibly. Such use will help students develop the attitudes and skills that will help keep them safe outside of school.

By signing and returning this document, I give permission to SMUSD to create and manage third party accounts (including, but not limited to SMUSD Google Apps, DreamBox, Lexia, Screencastify, Google CS First, YouTube, CCGI (California College Guidance Initiative) and others, for my child. These accounts are intended for students as they learn to use technology and then transition to using technology to learn.

### **I Know**

- The technology equipment, programs, tools, and systems managed by or used at SMUSD may be monitored by designated staff to ensure appropriate use for educational or administrative purposes (including the materials I create, view, copy, or transmit on the system) at any time without notifying me.
- All SMUSD equipment and accounts are for schoolwork only and not for personal use.
- Copyrighted software or data may not be placed on any system connected to the District's system(s) without permission from the holder of the copyright. Only the owner(s) or individuals the owner(s) specifically authorized may upload copyrighted material to the system(s).
- Social media venues are very public. What I contribute leaves a digital footprint forever, even after it is deleted. I won't post anything I wouldn't want friends, enemies, parents, teachers, or a future employer to see. I will ensure what I post promotes a positive image to the world.
- Posting or sharing personal information about myself or others on websites, discussion boards, or in email is inappropriate and unsafe. I know that saying unkind and untrue things about others may be considered bullying and is prohibited.

### **I Will**

- Treat all technology devices carefully and report any issues immediately.
- Work only on the programs and websites my teacher tells me to use.
- Keep my login and password information confidential and only share it with my parents/guardians, and teacher.
- Tell an adult if I read or see something on the screen that is not appropriate for school
- Keep myself, family, and friends safe by not publishing identifiable information about myself or others (e.g. last names, phone numbers, pictures, addresses, schedules, events, etc.) on district provided equipment or accounts.
- Follow all district and school rules, regulations and policies.

### **I Will Not**

- Use technology to hurt, scare, or bully others.
- Change, tamper with, or attempt to circumvent any of the school equipment, systems, and security/content filtering measures. This includes, but is not limited to settings, software, downloads, hardware, etc.
- Access or try to access another person's files, folders, accounts, or work in general
- Re-use or re-distribute content created by others without their permission or violate copyright laws
- Access, post, or distribute offensive material including but not limited to obscene or explicit pictures, offensive comments or jokes, and harmful content that would violate district policies.

## SMUSD Technology Responsible Use Policy

- Pretend to be someone else, spread lies, or harass others online including attempting to communicate with others who have asked me not to.
- Post or transmit pictures without obtaining prior permission from all individuals depicted or from parents of depicted students who are under the age of 18.

### **Consequences**

Any malicious attempts to harm or destroy District equipment or materials, data of another user of the District's system(s), or any of the agencies or other networks that are connected to the Internet is prohibited. Deliberate attempts to compromise, degrade, or disrupt system performance may be viewed as violations of District policies and administrative regulations and, possibly, as criminal activity under applicable state and federal laws.

Noncompliance with applicable regulations will result in a) disciplinary action consistent with District policies and regulations; b) revocation of account; c) suspension of access to District technology resources. Violations of law may result in criminal prosecutions as well as disciplinary action by the District.

### Notes:

1. Please contact the school site's office to request permission to bring an approved personal electronic device on campus.
2. To **opt out** of the following, please contact the school site before September 15:
  - SMUSD providing Internet access for my student while at school.
  - SMUSD creating and managing third-party accounts for my student. By opting out, I understand he/she will not be able to participate, electronically, in certain projects, which require these accounts.
  - My child's name/picture to be published in publicly distributed media.
  - My child's ability to use the Internet while on campus.



**SAN MARCOS UNIFIED SCHOOL DISTRICT**  
**2019-20 CONCUSSION INFORMATION SHEET**  
(Applicable only for the Current School Year)

A concussion is a brain injury and all brain injuries are serious. They are caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. They can range from mild to severe and can disrupt the way the brain normally works. Even though most concussions are mild, **all concussions are potentially serious and may result in complication including prolonged brain damage and death if not recognized and managed properly.** In other words, even a "ding" or a bump on the head can be serious. You can't see a concussion and most sports concussions occur without the loss of consciousness. Signs and symptoms of a concussion may show up right after the injury, and can take hours or days to fully appear. If your child reports any symptoms of a concussion, or if you notice the symptoms or signs of a concussion yourself, seek medical attention right away.

Signs and symptoms of a concussion may include one or more of the following:

Headaches	Amnesia
Pressure in the head	Slurred speech
Nausea and vomiting	Fatigue or low energy
Neck pain	Loss of consciousness
Balance problems or dizziness	Nervousness or anxiety
Blurred, double, or fuzzy vision	Irritability
Sensitivity to light or noise	Ringing in the ears
Feeling sluggish or slow	Confusion
Feeling foggy or groggy	Concentration or memory problems
Drowsiness	Change in sleep pattern
Sadness/More emotional	Repeating the same comment/question
Seizures/convulsions	Shows behavior or personality changes

**What can happen if my child keeps on playing with a concussion or returns to school?**

Athletes with the signs and symptoms of a concussion should be removed from play immediately. Continuing to play with the signs and symptoms of a concussion leaves the young athlete especially vulnerable to greater injury. There is an increased risk of significant damage from a concussion for a period of time after that concussion occurs, particularly if the athlete suffers another concussion before completely recovering from the first one. This can lead to prolonged recovery, or even severe brain swelling (second impact syndrome) with devastating and even fatal consequences. It is well known that adolescent or teenage athletes will often under report symptoms of injuries. Concussions are no different. As a result, education of administrators, coaches, parents and students is the key for student-athlete safety.

**If you think your child has suffered a concussion**

Pursuant to Education Code Section 49475, any athlete even suspected of suffering a concussion should be removed from the athletic activity for the remainder of the day. No athlete may return to activity after an apparent head injury or concussion, regardless of how mild it seems or how quickly symptoms clear, without medical clearance from a licensed health care provider. If the licensed health care provider determines that the athlete sustained a concussion or a head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider.

You should also inform your child's coach if you think that your child may have a concussion. Remember it is better to miss one game than miss the whole season. When in doubt, the athlete sits out.

For current and up-to-date information on concussions you can go to:

[www.cdc.gov/concussionsinyouthsports.com](http://www.cdc.gov/concussionsinyouthsports.com)

*Adapted from the CDC and the 3<sup>rd</sup> International Conference on Concussion in Sport Documents created 05/20/10.*







**2019-20 ORAL HEALTH NOTIFICATION LETTER**  
(to accompany Oral Health Assessment/Waiver Request Form)

Dear Parent or Guardian:

To make sure your child is ready for school, California law, *Education Code* Section 49452.8, now requires that your child have an oral health assessment (dental check-up) by May 31 in either kindergarten or first grade, whichever is his or her first year in public school. Assessments that have happened within the 12 months before your child enters school also meet this requirement. The law specifies that the assessment must be done by a licensed dentist or other licensed or registered dental health professional.

Take the attached Oral Health Assessment/Waiver Request form to the dental office, as it will be needed for your child's check-up. If you cannot take your child for this required assessment, please indicate the reason for this in Section 3 of the form. You can get more copies of the necessary form at your child's school or online from the California Department of Education's Web site at <http://www.cde.ca.gov/ls/he/hn/>. California law requires schools to maintain the privacy of students' health information. Your child's identity will not be associated with any report produced as a result of this requirement.

The following resources will help you find a dentist and complete this requirement for your child:

1. Medi-Cal/Denti-Cal's toll-free number or Web site can help you to find a dentist who takes Denti-Cal: 1-800-322-6384; <http://www.denti-cal.ca.gov>. For help enrolling your child in Medi-Cal/Denti-Cal, contact your local social service agency at: 1-866-262-9881.
2. Healthy Families' toll-free number or Web site can help you to find a dentist who takes Healthy Families insurance or to find out if your child can enroll in the program: 1-800-880-5305 or <http://www.benefitscal.com/>.
3. For additional resources that may be helpful, contact your local public health care department or Dental Health Initiative – San Diego at 619-692-8858.

Remember, your child is not healthy and ready for school if he or she has poor dental health! Here is important advice to help your child stay healthy:

- Take your child to the dentist twice a year.
- Choose healthy foods for the entire family. Fresh foods are usually the healthiest foods.
- Brush teeth at least twice a day with toothpaste that contains fluoride.
- Limit candy and sweet drinks, such as punch or soda. Sweet drinks and candy contain a lot of sugar, which causes cavities and replaces important nutrients in your child's diet. Sweet drinks and candy also contribute to weight problems, which may lead to other diseases, such as diabetes. The less candy and sweet drinks, the better!

Baby teeth are very important. They are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school. Tooth decay is an infection that does not heal and can be painful if left without treatment. If cavities are not treated, children can become sick enough to require emergency room treatment, and their adult teeth may be permanently damaged.

Many things influence a child's progress and success in school, including health. Children must be healthy to learn, and children with cavities are not healthy. Cavities are preventable, but they affect more children than any other chronic disease.

If you have questions about the new oral health assessment requirement, please contact the Student Services Department, 760.752.1289.

Sincerely,

Superintendent  
San Marcos Unified School District

Attachment





## 2019-20 ORAL HEALTH ASSESSMENT FORM

California law (*Education Code* Section 49452.8) states your child must have a dental check-up by May 31 of his/her first year in public school. A California licensed dental professional operating within his scope of practice must perform the check-up and fill out Section 2 of this form. If your child had a dental check-up in the 12 months before he/she started school, ask your dentist to fill out Section 2. If you are unable to get a dental check-up for your child, fill out Section 3.

### Section 1: Child's Information (Filled out by parent or guardian)

Child's First Name:	Last Name:	Middle Initial:	Child's birth date:
Address:			Apt.:
City:			ZIP code:
School Name:	Teacher:	Grade:	Child's Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Parent/Guardian Name:	Child's race/ethnicity: <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Multi-racial <input type="checkbox"/> Other _____ <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Unknown		

### Section 2: Oral Health Data Collection (Filled out by a California licensed dental professional)

**IMPORTANT NOTE:** Consider each box separately. Mark each box.

Assessment Date:	Caries Experience (Visible decay and/or fillings present)  <input type="checkbox"/> Yes <input type="checkbox"/> No	Visible Decay Present:  <input type="checkbox"/> Yes <input type="checkbox"/> No	Treatment Urgency: <input type="checkbox"/> No obvious problem found <input type="checkbox"/> Early dental care recommended (caries without pain or infection; or child would benefit from sealants or further evaluation) <input type="checkbox"/> Urgent care needed (pain, infection, swelling or soft tissue lesions)
<div style="display: flex; justify-content: space-between;"> <div>_____ <i>Licensed Dental Professional Signature</i></div> <div>_____ <i>CA License Number</i></div> <div>_____ <i>Date</i></div> </div>			

### Section 3: Waiver of Oral Health Assessment Requirement

To be filled out by parent or guardian asking to be excused from this requirement

Please excuse my child from the dental check-up because: (Check the box that best describes the reason)

☐ I am unable to find a dental office that will take my child's dental insurance plan.

My child's dental insurance plan is:

☐ Medi-Cal/Denti-Cal ☐ Healthy Families ☐ Healthy Kids ☐ Other \_\_\_\_\_ ☐ None

☐ I cannot afford a dental check-up for my child.

☐ I do not want my child to receive a dental check-up.

Optional: other reasons my child could not get a dental check-up: \_\_\_\_\_

If asking to be excused from this requirement:

► \_\_\_\_\_  
*Signature of parent or guardian* \_\_\_\_\_  
*Date*

The law states schools must keep student health information private. Your child's name will not be part of any report as a result of this law. This information may only be used for purposes related to your child's health. If you have questions, please call your school.

Return this form to the school **no later than May 31** of your child's first school year.

Original to be kept in child's school record.



**FAQs: RIGHTS AND OPTIONS AVAILABLE TO PREGNANT/PARENTING PUPILS**

Assembly Bill (AB) 2289 states that pregnant and parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children by establishing specified rights. The law is effective as of January 2019.

**Can my school treat me differently because of my pregnancy or parental status?**

No, Title IX of the United States Code prohibits discrimination based on sex, which includes both pregnancy and parental status.

**Can my school prevent me from participating in any educational program or activity?**

No, a school may not exclude or deny a pregnant or parenting pupil from any educational program or activity, including class or extracurricular activity, based solely on the pupil's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery. However, a school may require a pupil to obtain a doctor's note to ensure that they are emotionally and/or physically able to continue participation in the educational program.

**Can my school force me to take part in a pregnant minor program?**

No, a pregnant or parenting pupil does not have to participate in any alternative educational program because of pregnancy or parental status. A student may voluntarily take part in these programs if they choose.

**Am I entitled to any parental leave in preparation or to take care of my newborn child?**

Yes, any pregnant or parenting pupil is entitled to a minimum of eight weeks of parental leave, which may be increased under medical necessity. A pupil is not required to complete any class work during this period, and it must be counted as an excused absence by the school.

**What if my child is sick?**

Taking care of a sick child counts as an excused absence, and the school may not require you to provide a doctor's note for this kind of absence.

**What happens when I return to school?**

A pregnant or parenting pupil will return to their normal course of study. The pupil is entitled to opportunities to make up any missed work from parental leave. This includes being able to stay for a fifth year of school to complete graduation requirements. The pupil may also enroll in an alternative educational program provided it is equal to that of their former schoolwork.

**Do these rights only apply to pregnant pupils?**

No, these rights apply equally to all pregnant and parenting pupils, defined as any student who gives or expects to give birth, or any student who identifies as a parent of an infant. A pupil may file a uniform complaint if their school violates the rules above.

**SCHOOL DISTRICT  
2019-20 ANNUAL PESTICIDE NOTIFICATION REQUEST**

PARENTS: PLEASE READ AND COMPLETE THE INFORMATION BELOW  
AND RETURN IT TO YOUR SCHOOL PRINCIPAL

Parents/guardians can register with the school to receive notification or individual pesticide applications. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

Parents/guardians seeking access to information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code 13184, can do so by accessing the web-site at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

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Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_ Grade: \_\_\_\_\_  
School: \_\_\_\_\_

- ☐ I would like to be pre-notified every time a pesticide application is to take place at the school. I understand that the notification will be provided at least 72 hours before the application.

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Signature of Parent/Guardian (if student is under 18)

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Signature of Student (if student is 18 or older)

**SAN MARCOS UNIFIED SCHOOL DISTRICT**  
**2019-20 PARENTAL OPTIONS**  
*(Applicable Only for the Current School Year)*

PARENTS: PLEASE READ AND COMPLETE THE INFORMATION BELOW AND RETURN IT TO YOUR SCHOOL

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

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

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

**Vision and Hearing Screenings**

San Marcos Unified School District may require vision and hearing screenings of students enrolled in District programs or activities. Any screening required by the District shall be kept confidential. A parent or guardian having control or charge of any child enrolled in public schools may file annually with the principal of the school in which she/he is enrolled a statement in writing, signed by the parent or guardian, stating that she/he will not consent to a screening of the child.

☐ I **do not** want my child to undergo vision and hearing screening.

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Signature of Parent/Guardian (if student is under 18)

**Sexual Health and HIV Prevention Education**

Students enrolled in District programs or activities may receive instruction in health education, including comprehensive sexual health education and HIV prevention and including information regarding sexual harassment, sexual abuse and human trafficking. Parents or guardians may submit a written request to excuse their child from participation in any class involving comprehensive sexual education or HIV prevention education, or from participation in any anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks.

I would like my child **excused** from:

- ☐ Participation in any class involving comprehensive sexual education or HIV prevention education.
- ☐ Participation in any anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks.

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Signature of Parent/Guardian (if student is under 18)

**Right to Refrain from Harmful or Destructive Use of Animals**

Pursuant to Education Code 32255 *et seq.*, any student with a moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, shall notify his or her teacher regarding this objection. The student must obtain a note from his or her parent or guardian requesting exemption from participation in an education project involving the harmful or destructive use of animals.

☐ I would like my child **excused** from participation in an education project involving the harmful or destructive use of animals.

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Signature of Parent/Guardian (if student is under 18)