ACCESS
Alternative, Community and Correctional Education Schools and Services

PARENT-PUPIL RIGHTS AND RESPONSIBILITIES
2018-2019
DEAR PARENT/GUARDIAN:

California Education Code section 48980 requires that, at the beginning of the first semester or quarter of the regular school term, the governing board of each school district must notify parents/guardians of their rights or responsibilities under certain provisions of the Education Code. Other provisions of California and Federal law also require notification of parents/guardians.

Education Code section 48982 requires that this notice be signed by the parent/guardian or eligible (18 year old or older) pupil and returned to your child’s school. Your signature on this notice is an acknowledgment that you have received the notice and have been informed of your rights, but the signature does not indicate that consent to participate in any particular program has been either given or withheld.

Please sign and return the acknowledgment form.

California and federal law requires certain other notices in the event that specific circumstances should arise affecting your child’s education and attendance at school. If any such circumstances should arise, ACCESS will provide notice as required by law.

KEY TO LEGAL REFERENCES

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PUPIL DISCIPLINE

RULES PERTAINING TO PUPIL DISCIPLINE (EC §§35291, 48980): ACCESS school rules, regulations, practices, and procedures pertaining to pupil discipline are available at each individual school site.

DUTY CONCERNING CONDUCT OF PUPILS (EC §44807): Every ACCESS teacher has a responsibility to hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

DUTIES OF PUPILS (EC §48908, 5 CCR §300): Every pupil must attend punctually and regularly, conform to the regulations of the school, obey promptly all the directions of his/her teacher and others in authority, observe good order and propriety of deportment, be diligent in study, be respectful to his/her teacher and others in authority, be kind and courteous to schoolmates, and refrain entirely from the use of profane and vulgar language.

DRESS CODE/GANG APPAREL (EC §§35183, 35183.5, 51101): ACCESS has approved a dress code policy adopted by your child’s school. A copy of the dress code is available at the principal’s office.

ATTENDANCE OF SUSPENDED CHILD’S PARENT/GUARDIAN (EC §48900.1, LC §230.7): ACCESS has adopted a policy authorizing teachers to require the parent/guardian of a pupil who has been suspended by a teacher to attend a portion of a school day in the child’s classroom. No employer may dismiss or in any manner discriminate against an employee for taking time off from work to comply with this requirement.

PUPIL RECORDS

RIGHTS OF PARENTS/GUARDIANS (EC §49063 et seq.):

- Types of Pupil Records: A pupil record is any item of information directly related to an identifiable pupil, other than directory information, which is maintained by ACCESS or required to be maintained by an ACCESS employee in the performance of his/her duties, whether recorded by handwriting, print, tapes, film, microfilm or other means. Pupil records include a pupil’s health record.

- Responsible Officials: Your child’s principal is responsible for the maintenance of pupil records located at your child’s school.

- Location of Log/Record: The law requires that a log or record be maintained for each pupil’s record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate interests therefor. For records maintained at your child’s school, the log is located in the principal’s office.

- Right of Access and Review/Expungement: You have an absolute right to access any and all pupil records related to your child, which are maintained by ACCESS. A homeless child or youth or an unaccompanied youth who is 14 years of age or older may access his/her pupil records. If you wish to review records located at your child’s school, please contact the principal’s office, or submit a written request that identifies the record(s) you wish to inspect. The principal or ACCESS office has five (5)
business days from the day of the receipt of a request to provide access to the records. Upon satisfactory completion of the rehabilitation assignment of a pupil whose expulsion has been suspended, ACCESS may order the expungement of any or all records of the expulsion proceedings. When you submit a written revocation of consent after the initial provision of special education and related services for your child, ACCESS is not required to amend the education records of your child to remove any reference to your child’s receipt of special education and services.

**Challenging the Content of Records:** You have the right to challenge the content of any pupil record by filing a written request with the ACCESS School Principal to correct or remove any information recorded in the written records concerning your child which you allege to be any of the following: (1) inaccurate, (2) an unsubstatiated personal conclusion or inference, (3) a conclusion or inference outside the observer’s area of competence, (4) not based on the personal observation of a named person with the time and place of the observation noted, (5) misleading, or (6) in violation of the privacy or other rights of the pupil. Parents or eligible students who wish to ask the School to correct a record should write the school principal/designee, clearly identify the part of the record they want corrected, and specify why it should be corrected. 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. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. After the hearing, if the school still decides not to amend the records, the parent or eligible student has the right to place a statement with the records setting forth his/her view about the contested information.

**Copying Costs:** You may receive copies of your child’s pupil records, at a cost of $0.10 per page for records of a size 8 1/2x14 or less; $0.20 per page for copying of documents from microfilm, and the actual cost for reproducing copies or oversize documents or the reproduction of documents requiring special processing.

**Transfer of Records:** ACCESS is required to transfer a copy of your child’s permanent pupil records within 10 school days to the school your child intends to enroll.

**School Officials and Employees/Legitimate Educational Interests:** School officials and employees who are authorized to review pupil records are school officials with legitimate educational interests. A school official is a person employed by ACCESS as an administrator, supervisor, certificated employee, or support staff member (including, but not limited to, paraeducator, health or medical staff and school law enforcement personnel); a person serving on the school board; a person or company with whom ACCESS has contracted to perform a special task (such as an attorney, auditor, medical consultant, educational consultant or therapist). Access to pupil records is permitted only for records that are relevant to the legitimate educational interests of the requester. “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.

**Access to Pupil Record Information Without Parent Consent (20 U.S.C. section 1232g; EC section 49076):** Additional individuals/entities are authorized to receive pupil record information without parent/legal guardian/eligible pupil consent. These individuals/entities include the following: a pupil’s school district of residence, an agency caseworker of a state or local child welfare agency that has legal responsibility for the care and protection of a pupil; authorized representatives of federal
regulatory agencies for audits or evaluations of state or federally supported educational programs; employees of other public schools or school systems where educational programs leading to high school graduation are provided or where an ACCESS pupil intends to or is directed to enroll; a district attorney or probation officer involved in truancy mediation; a district attorney, counsel of record for the minor, or probation officer conducting a criminal investigation or investigating whether the pupil is a ward of the court or violated a condition of probation; appropriate persons in connection with an emergency; agencies in connection with a pupil’s application for financial aid; county elections official for identifying pupils eligible to vote; accrediting associations for accrediting functions. Upon request, ACCESS discloses educational records without consent to officials of another school district in which the pupil seeks or intends to enroll.

☐ Complaints: You have the right to file a complaint with the United States Department of Education, concerning an alleged failure by ACCESS to comply with the provisions of the Family Educational Rights and Privacy Act (20 USC §1232g), which governs access to pupil records. Refer to Attachment 1.

☐ Prospectus of School Curriculum: The curriculum for your child’s school is compiled at least once annually in a prospectus which is available at the principal’s office.

☐ Statement or Response to Disciplinary Actions: Whenever information is included in a pupil record concerning any disciplinary action taken in connection with your child, you have the right to include a written statement or response concerning the disciplinary action in your child’s pupil record.

☐ Destruction of Pupil Records: ACCESS is required to retain indefinitely the original or an exact copy of mandatory permanent pupil records (Class 1 - Permanent Records) which schools have been directed to compile by California regulations; maintain for stipulated periods of time mandatory interim pupil records (Class 2 - Optional Records) until the information is no longer needed to provide educational services to a child and are retained until reclassified as Class 3 – Disposable Records, and then destroyed as per California regulations (5 CCR 432). Prior to destroying pupil records of a child who has received special education services, the IDEA requires parental notification when ACCESS decides that personally identifiable information is no longer needed to provide educational services to a child. Once parents/guardians have been notified that personally identifiable information is no longer needed, they have the option of requesting access to and/or copies of pupil records prior to destruction, and to request that pupil records be destroyed, unless ACCESS determines that the information could be needed to provide educational services in the future or is needed for auditing purposes (34 CFR 300.624, 5CCR 16026). Unless classified as permanent records, all other pupil records are destroyed five years after the information is no longer needed to provide educational services (5 CCR 16027).

RELEASE OF DIRECTORY INFORMATION (EC §49073; BP 400-10; SP 100-14; SPP 100-14): ACCESS has designated the following items as Directory Information: pupil’s name, participation in officially recognized activities and sports, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the pupil. ACCESS has determined that the following individuals, officials, or organizations may receive directory information: federal, state and local law enforcement, probation officers, public defender representing a student, district attorney, social services, and child support agency. Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that
manufacture class rings or publish yearbooks; a playbill, showing your pupil’s role in a drama production; Honor Roll or other recognition lists; graduation programs and sports activity sheets. However, no information may be released to a private profit-making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided to a private school or college. No directory information regarding your child may be released if you notify ACCESS that the information shall not be released. Upon written request from the parent of a student age 17 or younger, the district will withhold directory information about the student. If the student is 18 or older or enrolled in an institution of postsecondary instruction and makes a written request, the student’s request to deny access to directory information will be honored. Additionally, directory information related to homeless or unaccompanied youths will not be released without the express written consent for its release by the eligible pupil or guardian.

Please submit a written notice to the principal of your child’s school if you wish to deny access to directory information concerning your child.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (“FERPA” 20 USC §1232g): Federal law set forth in FERPA grants parents certain rights with respect to their pupil’s records. Refer to Attachment 1 for Model FERPA Notice.

RELEASE OF INFORMATION TO MILITARY RECRUITERS OR INSTITUTION OF HIGHER LEARNING (EC §49073.5 20 USC §7908): Federal law requires school districts to provide, on a request made by military recruiters or an institution of higher education, access to secondary school pupils’ names, addresses and telephone listings. However, you have the right to request that your child’s name, address, and telephone listing shall not be released without your prior written consent. Please submit a written notice to your child’s school principal if you wish to deny access to this information.

RELEASE OF STUDENT RECORDS/COMPLIANCE WITH SUBPOENA OR COURT ORDER (EC §§49076 and 49077): Districts are required to make a reasonable effort to notify parents in advance of disclosing student information pursuant to a subpoena or court order.

HEALTH AND SAFETY

REFUSAL TO CONSENT TO PHYSICAL EXAMINATION (EC §§49451, 48980): You may file an annual written statement with the principal of your child’s school, stating that you will not consent to a physical examination of your child. However, whenever there is good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist.

CONTINUED MEDICATION REGIMEN FOR NONEPISODIC CONDITION (EC §49480): If your child is on a continuing medication regimen for a nonepisodic condition, you are required to inform the school nurse or other designated certificated school employee of: (1) the medication being taken, (2) the current dosage, and (3) the name of the supervising physician. With your consent, the school nurse may communicate with your child’s physician and may counsel with school personnel regarding the possible effects of the drug on your child’s physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. If your child is on a continuing medication regimen, please complete the form at the end of this notice.
ADMINISTRATION OF IMMUNIZING AGENTS (EC §§49403, 48980): ACCESS may permit any person licensed as a physician and surgeon, any person licensed as a registered nurse, or other licensed healthcare practitioners acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to a pupil. You have the right to consent in writing to the administration of an immunizing agent to your child.

ADMINISTRATION OF PRESCRIBED MEDICATION (EC §§49423, 48980): If your child is required to take prescription medication during the regular school day, you may request assistance for your child by the school nurse or other designated school personnel. If you wish such assistance, you must provide both a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and your own written statement indicating your desire that ACCESS assist your child in the matters set forth in the physician’s statement. Your child may also carry and self-administer prescription auto-injectable epinephrine if ACCESS receives written statements from you and the child’s physician, in the form required by law. ACCESS school nurses can provide the appropriate form for this purpose.

TOBACCO-FREE CAMPUS POLICY (H&SC §04420): ACCESS has adopted and enforces a tobacco-free campus policy. The policy prohibits the use of tobacco products, at any time, in ACCESS- owned or leased buildings, on ACCESS property and in ACCESS vehicles.

DRUG-FREE CAMPUS POLICY (H&SC, EC §48900(c)): ACCESS will not tolerate the use, possession, or sale of drugs (including marijuana), alcohol, tobacco, or related paraphernalia including electronic devices that deliver nicotine or other prohibited substances by students, parents or other visitors on school campuses, at school-sponsored activities, or in ACCESS owned or leased buildings, on ACCESS property and in ACCESS vehicles. Refer to Attachment 16 for more information.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS (EC §§49472, 48980): ACCESS may provide or make available medical or hospital service through nonprofit membership corporations, defraying the cost of medical service or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance, for injuries to ACCESS pupils arising out of accidents occurring on ACCESS property or while being transported to and from school-sponsored activities. No pupil is required to accept such service, without the consent of his/her parent/guardian.

INSTRUCTION FOR PUPILS WITH TEMPORARY DISABILITIES (EC §§48206.3, 48980): If your child should suffer a temporary disability which makes attendance in regular day classes or an alternative education program in which the child is enrolled impossible or inadvisable, your child shall receive individual instruction provided by the district in which he/she is deemed to reside. Individual instruction includes instruction provided in your home, in a hospital or other residential health facility, excluding state hospitals, or under other circumstances prescribed by state law.

PUPILS WITH TEMPORARY DISABILITIES (EC §§48207, 48208, 48980): In the event that your child has a temporary disability and is confined in a hospital or other residential health facility located outside your district of residence, you shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. In such circumstances, it is your responsibility to notify the school district in which you are deemed to reside of your child’s presence in a qualifying hospital.

TYPE 2 DIABETES (EC §49452.7) Refer to Attachment 5 for information required to be provided to parents of 7th grade pupils regarding type 2 diabetes.

PROOF OF ORAL HEALTH ASSESSMENT – (EC §49452.8): Your child must have an oral health assessment (dental check-up) by no later than May 31 of the first year entering kindergarten or first grade. Dental check-ups in the 12 months before starting school meet this requirement. Ask your dentist to fill out the Oral Health Assessment Form provided by the school. You may be excused from complying with the dental-checkup requirement by marking the box next to the appropriate reason on Section 3 of the Oral Health Assessment Form.
FREE AND REDUCED PRICE MEALS – (EC §§49510, et seq., 48980): Depending on annual household income, your child may be eligible for free or reduced price meals. For information regarding this program contact the Orange County Department of Education Food Service Manager at (714) 966-4165.

NOTIFICATION OF PESTICIDE USE – (EC §§17611.5, 17612, 48980.3): A copy of the school’s integrated pest management plan is posted on the school’s website. Refer to Attachment 18 for a list of all pesticide products expected to be applied at your child’s school during the upcoming year.

ASBESTOS MANAGEMENT PLAN – (40 CFR §763.93): ACCESS updated asbestos management plan for each school is available for review at the office of Benefits and Emergency Planning, 200 Kalmus Drive, Costa Mesa, CA 92628.

ATTENDANCE

EXCUSED ABSENCES – (EC §§48205, 48980): Your child may be excused from school when the absence is for medical or justifiable personal reasons. Your child will be allowed to complete all assignments and tests missed during such an excused absence. Refer to Attachment 3 for the full text of section 48205.

GRADE REDUCTION/LOSS OF ACADEMIC CREDIT – (EC §§48205, 48980): Your child may not have his/her grade reduced or lose academic credit for any absence or absences excused under Education Code section 48205, when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Refer to Attachment 3 for the full text of section 48205.

ABSENCES FOR RELIGIOUS PURPOSES – (EC §§46014, 48980): With your written consent, your child may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at your child’s place of worship or at other suitable place or places away from school property designated by the religious group. Your child may not be excused from school for this purpose on more than four days per school month.

EXCUSE TO OBTAIN CONFIDENTIAL MEDICAL SERVICES – (EC §46010.1): Pupils in grades 7 to 12 may be excused from school for the purpose of obtaining confidential medical services, without the consent of the pupil’s parent/guardian.

SCHEDULE OF MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS – (EC §48980): ACCESS is required to advise all parents/guardians of the schedule of minimum days and pupil-free staff development days no later than one month before the scheduled minimum or pupil-free day.

NOTICE TO PARENT OR GUARDIAN – (EC §§48260, 48260.5): Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the school day on each of more than three days in one school year or a combination thereof, is a truant and shall be reported. Upon initial classification as a truant, the school district must notify the pupil’s parent/guardian by mail or other reasonable means that the pupil is truant. Refer to Attachment 2 for more information.

NON-DISCRIMINATION

STATEMENT OF NON-DISCRIMINATION (EC §§200, 220; Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, § 504 of the Rehabilitation Act of 1973): ACCESS does not discriminate on the basis of race, color, national origin, ethnic group identification, religion, sex/gender (gender identity, gender expression) physical/mental disability or immigration status. Your child has a right to a free public education, regardless of immigration status.
Please refer to Attachment 6 “Know Your Educational Rights” related to immigration. Additional resources for immigrant students and family members developed by the California Attorney General are accessible at http://oag.ca.gov/immigrant/rights.

ACCESS will take steps to assure that the lack of English will not be a barrier to admission and participation in ACCESS programs. Complaints alleging noncompliance with the ACCESS policy of nondiscrimination should be directed to Laura Strachan, Assistant Superintendent, Division of Alternative Education, at 714-245-6403.

SEXUAL HARASSMENT POLICY (EC §§231.5, 48980; 5 CCR §4917): ACCESS’s written sexual harassment policy is Attachment 7 to this notice.

PUPILS WITH DISABILITIES

SPECIAL EDUCATION – (EC §56000 et seq.; 20 USC §1401 et seq.): Both California and Federal law require that a free appropriate public education (FAPE) in the least restrictive environment (LRE) be offered to qualified pupils with disabilities. Information on pupil eligibility, procedural safeguards, and additional matters is available from the school principal.

CHILD FIND – (EC §§56300, 56301): ACCESS has a duty to identify, locate and assess children with disabilities who are in need of special education and related services. If you believe that your child is in need of special education and related services, you may initiate a referral for assessment by contacting the school principal.

MISCELLANEOUS

COMPREHENSIVE SEXUAL HEALTH AND/HIV/AIDS PREVENTION EDUCATION (EC §§51938, 48980): ACCESS will provide instruction in comprehensive sexual health and HIV/AIDS prevention education and research on pupil health behaviors and risks for the coming school year. Written and audiovisual educational materials used in this education are available for your inspection at the principal’s office. The education will be taught by ACCESS personnel/outside consultants. [NOTE: If the education is provided by outside consultants and/or at an assembly by guest speakers, the notice must include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information stating the right of the parent/guardian to request a copy of Education Code Sections 51933, 51934 and 51938.] A copy of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act is available from the California Department of Education (CDE) http://www.cde.ca.gov. You have the right to request in writing that your child shall not receive comprehensive sexual health education or HIV/AIDS prevention education. ACCESS may administer 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 pupils’ attitudes concerning or practices relating to sex. You will be notified in writing that any such test, questionnaire or survey is to be administered, and you will be given the opportunity to review the test, questionnaire or survey and request in writing that your child not participate.

DISSECTION OR OTHERWISE HARMING OR DESTROYING ANIMALS (EC §32255 et seq.): If your child has a moral objection to dissecting or otherwise harming or destroying animals, he/she has a right to notify the teacher regarding this objection and to refrain from participation in an education project involving the harmful or destructive use of animals which must be substantiated with a note from a parent/guardian.

CAASPP STATE EXAMS (5 CCR 852): During the spring, students in grades 3-8 and 11 will take the annual state exams. Parents may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP. Refer to Attachment 8 for more information.
COMPLAINTS CONCERNING DEFICIENCIES RELATED TO INSTRUCTIONAL MATERIALS, ETC. (EC §35186): A Uniform Complaint process is available to help identify and resolve deficiencies related to instructional materials, emergency or urgent facility conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment. Notice of the complaint process and location at which to obtain a complaint form should be posted in the classrooms. Please see Attachment 9 regarding the Williams Complaint Procedure for more information.

COLLEGE ADMISSION REQUIREMENTS; CAREER TECHNICAL EDUCATION (EC §§§51225.3, 51229, 48980):

☐ College Admission Requirements: The University of California (UC) and the California State University (CSU) have established common high school course requirements for undergraduate admission. Pupils who take these courses and meet other specified criteria are eligible to apply and be considered for admission.

The following list is commonly referred to as the “A-G” requirements:

(1) two years of history/social science;
(2) four years of college preparatory English or language instruction;
(3) three years of college preparatory mathematics;
(4) two years of laboratory science;
(5) two years of the same language other than English;
(6) one year of visual and performing arts; and
(7) one year of college preparatory electives.

☐ Websites: The following UC and CSU web sites help pupils and their families learn about college admission requirements for UC/CSU, and also list high school courses that have been certified for undergraduate admission:

UC:  www.universityofcalifornia.edu/admissions/undergrad_adm/paths_to_adm/
CSU:  www.csumentor.edu/planning/high_school/subjects.asp

☐ Career Technical Education: The California Department of Education defines “career technical education” as a program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide pupils with a pathway to postsecondary education and careers. Career technical education includes agriculture education, home economics, industrial and technology education, and regional occupational centers and programs, among other educational programs.

☐ Website for Career Technical Education: Pupils can learn more about career technical education at the following California Department of Education website:

www.cde.ca.gov/ci/ct/

☐ Counseling: Your child has the right to meet with a school counselor for help in choosing courses that will meet college admission requirements, or enrolling in career technical education courses, or both. If you wish to schedule a meeting with a school counselor, please contact your school teacher.
SCHOOL ACCOUNTABILITY REPORT CARD (EC §§35256, 33126, 32286): ACCESS annually issues a School Accountability Report Card (SARC) for each school in ACCESS. You may obtain a copy of the SARC from the principal’s office. The SARC includes, but is not limited to, assessment of school conditions specified in California Education Code section 33126. The SARC also includes an annual report on the status of the safety plan for your child’s school, including a description of its key elements.

LANGUAGE PROGRAMS (EC §310): For information on the types of language programs available for ACCESS students please contact the school principal for additional information.

HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS (EC §51240): If any part of the school’s instruction in health conflicts with your religious training and beliefs, you may submit a written request that your child be excused from the part of the instruction that conflicts with your religious training and beliefs.

NOTICE OF ALTERNATIVE SCHOOLS (EC §58501): The law requires the District to provide parent/guardians a notice of alternative schools. Please refer to Attachment 4 for a copy of the notice specified in Education Code section 58501.

SEX EQUITY IN CAREER COUNSELING AND COURSE SELECTION (EC §221.5): Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions.

UNIFORM COMPLAINT PROCEDURES (5 CCR §4622): ACCESS has adopted policies and procedures for the filing, investigation and resolution of complaints regarding alleged violations of federal or state law or regulations governing educational programs, including allegations of unlawful discrimination. Refer to Attachment 9, which is ACCESS Uniform Complaint Procedures.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (EC §§52060-52077): ACCESS is required to adopt a three-year Local Control and Accountability Plan (LCAP) and to update the LCAP on or before July 1 of each subsequent year. The LCAP is required to identify annual goals, specific actions geared toward implementing those goals, and must measure progress for student subgroups across multiple performance indicators based on eight priorities set by the State. The priorities must be aligned to the district’s spending plan. The LCAP must be approved before the annual district budget can be adopted. Once the budget and LCAP are adopted at the local level, the plan will be reviewed by the county superintendent to ensure alignment of projected spending toward goals and services. The following are the eight State priorities:

1. Providing all students access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities;
2. Implementation of and student access to state academic content and performance standards;
3. Parent involvement and participation;
4. Improving student achievement and outcomes along multiple measures;
5. Supporting student engagement;
6. Highlighting school climate and connectedness;
7. Ensuring all students have access to classes that prepare them for college and careers; and
8. Measuring other important student outcomes related to required areas of study.

ACCESS is required to establish a parent advisory committee (PAC) and English learner parent advisory committee (ELPAC) to provide advice regarding the LCAP. (ELPACs are required if enrollment in the school district includes at least 15% English learners and the district enrolls at least 50 pupils who are English learners. PACs shall include parents or legal guardians of low income students, English learner students, and foster youth.
ACCESS is required to consult with its teachers, principals, administrators, other school personnel, local bargaining units, parents, and pupils in developing the LCAP. As part of this consultation process, ACCESS must present their proposed plans to the PAC and ELPAC. The advisory committees can review and comment on the proposed plan. OCDE/ACCESS must respond in writing to the comments of the PAC and ELPAC. OCDE/ACCESS is also required to notify members of the public that they may submit written comments regarding the specific actions and expenditures proposed in the LCAP.

OCDE must hold at least two public hearings to discuss and adopt (or update) their LCAPs. OCDE must first hold at least one hearing to solicit recommendations and comments from the public regarding expenditures proposed in the plan, and then adopt (or officially update) the LCAP at a subsequent hearing.

OCDE is required to post on its website the LCAP approved by the Board of Education and any updates or revisions to the LCAP, and establish policies for filing a complaint of noncompliance under EC §52075 using the Uniform Complaint Procedures. Information regarding the requirements for a Local Control and Accountability Plan and the complaint process shall be provided to pupils, parents, guardians, and employees on an annual basis.

EVERY STUDENT SUCCEEDS ACT (ESSA) – (“ESSA”, 20 USC §6301 et seq.: EC 313.2, 440):
On December 10, 2015, President Barack Obama signed the ESSA, which reauthorized and updated the Elementary and Secondary Education Act (ESEA). Most of the new provisions required by the ESSA will take effect starting in the 2017–18 school year (SY); however, there are some provisions that will not take effect until the 2018–19 and 2019–20 SYs, respectively.

This update describes Title I, Part A reservations required of local educational agencies (LEAs) administering Title I, Part A programs. The purpose of Title I, Part A is to provide all children with a significant opportunity to receive fair, equitable, and high-quality education and to close educational achievement gaps.

Title I, Part A Required Reservations

LEAs that receive Title I, Part A funds will be required to reserve the following set asides for the 2018–19 SY:

Parent and Family Engagement: LEAs with a Title I, Part A allocation (including transfers) in excess of $500,000 must reserve at least 1 percent of the LEA’s Title I, Part A allocation for parent and family engagement activities pursuant to Section 1116 of the ESSA.

Homeless Services: LEAs must reserve Title I, Part A funds as are necessary to provide services to homeless children comparable to those provided to children enrolled in schools receiving Title I, Part A funds pursuant to Section 1113(b)(3) of the ESSA.

Neglected and Delinquent Children: LEAs must reserve, if applicable, Title I, Part A funds to provide services comparable to those provided to children enrolled in schools receiving Title I, Part A funds to serve children in local institutions for neglected children, local institutions for delinquent children, and neglected or delinquent children in community day school programs pursuant to Section 1113(c) (3) (A) of the ESSA.

Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides: Upon request, parents have a right to information regarding the professional qualifications of their student’s classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the
state qualifications and licensing criteria for the grades and subjects she/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher’s college major, whether she/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications.

**Limited English Proficient Students:** The Act requires prior notice be given to parents of English learners regarding limited English proficiency programs, including the reasons for the identification of the student as an English learner, the need of placement in a language instruction educational program, the student’s level of English proficiency, how such level was assessed, the status of the student’s academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student’s needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for English learners.

**School Support and Improvement Activities**

The California Department of Education (CDE) will notify LEAs with schools identified for comprehensive support and improvement beginning in the 2018–19 SY and will notify LEAs with schools identified for targeted support and improvement beginning in the 2018–19 SY as required in Section 1111(d) of the ESSA. During the 2017–18 SY, LEAs are not required to implement new school improvement activities as described in Section 1111(d) (1) (B) of the ESSA.

☐ **Information on Child’s Level of Achievement:** ACCESS will provide timely information on the level of achievement of your child in each of the state academic assessments.

☐ **Homeless Liaison:** Homeless pupils have certain rights under California and Federal law. For information concerning these rights, please contact the ACCESS liaison for homeless children and youths, Wendy Rogan at 714-836-1563.

☐ **Foster Youth Liaison:** Foster youth have certain rights under California and Federal law. For information concerning these rights, please contact the ACCESS liaison for foster youths, Morgan Larkin at 714-668-7825. Refer to Attachment 11 for more information.

☐ **Release of Pupil Information to Military Recruiters:** Please see entry under Pupil Records.

**FEDERAL DEFINITION OF HOMELESSNESS** – The federal government’s legal definition of homelessness is based on the McKinney-Vento Homeless Education Assistance Act, 42 U.S.C. 11431. Refer to Attachment 10 a for more information.

**ACCESS COMMUNITY SCHOOLS FAMILY ENGAGEMENT POLICY** – School-level policy – Community Schools. Refer to Attachment 12 for more information.

**ACCESS FAMILY ENGAGEMENT POLICY** – LEA LEVEL POLICY Developed with input from parents/guardians of pupils attending ACCESS Community Schools. Refer to Attachment 13 for more information.

**ACCESS SCHOOL/FAMILY COMPACT** – Outlines the shared responsibility of ACCESS schools and families to work together to ensure that pupils achieve academic success and become productive members of society. Refer to Attachment 14 for more information.

**ACCESS YOUTH CORRECTIONAL EDUCATION PROGRAM SCHOOLS FAMILY ENGAGEMENT POLICY** – School-level policy (YCEP) Refer to Attachment 15 for more information.
INTERNET ACCESS – ACCESS has adopted a policy regarding access by pupils to the Internet and online services. Refer to Attachment 17 for more information.

INVASION OF PRIVACY – (PC 647): It is a misdemeanor to use a concealed camcorder, motion picture camera, or photo camera of any type to secretly record individuals for purposes of viewing their body or undergarments in a bathroom, changing area or any other area where the individual has a reasonable expectation of privacy.

MEGAN’S LAW NOTIFICATION – (PENAL CODE §290.4): Parents and members of the public have the right to review information regarding registered sex offenders at the main office of the local law enforcement agency for this school district.

RIGHTS OF PARENTS TO INFORMATION – (EC §51101): Rights of parents and guardians to information; mutually supportive partnership between parents and educators; policy development. You may request a copy of Education Code section from the school principal.
Notification of Rights for Elementary and Secondary Schools

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

1. The right to inspect and review the student's education records maintained by the school. These rights transfer to the eligible student when he/she reaches the age of 18 or attends a school beyond the high school level.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

2. The right to request that a school correct the student’s education records that the parent or eligible student believes are inaccurate, or misleading.

Parents or eligible students who wish to ask the school to correct a record should write the school principal [or appropriate school official], clearly identify the part of the record they want corrected, and specify why it should be corrected. 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. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing. After the hearing, if the school still decides not to amend the records, the parent or eligible student has the right to place a statement with the records setting forth his/her view about the contested information.

3. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education records. However, FERPA permits schools to disclose those records, without consent, to the following parties or under the following conditions:

- School officials with legitimate education interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific state law.

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, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

Schools may disclose, without consent, “directory” information such as a student’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 student. However, schools must inform parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. A school official must notify parents and eligible students annually of their rights under FERPA. The actual means of notification is left to the discretion of each school.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA.

   The contact information of the office that administers FERPA is:

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, SW Washington, DC 20202-8520
NOTICE TO PARENT OR GUARDIAN

ALTERNATIVE EDUCATIONAL PROGRAMS; SOLUTIONS

California Education Code Section 48260.5

Upon a pupil’s initial classification as a truant, the school district shall notify the pupil’s parent or guardian using the most cost-effective methods possible, which may include electronic mail or a telephone call:

(a) That the pupil is truant.

(b) That the parent or guardian is obligated to compel the attendance of the pupil at school.

(c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.

(d) That alternative educational programs are available in the district.

(e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil’s truancy.

(f) That the pupil may be subject to prosecution under Section 48264.

(g) That the pupil may be subject to suspension, restriction, or delay of the pupil’s driving privilege pursuant to Section 13202.7 of the Vehicle Code.

(h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

E.C. § 48260 – Definition of a Truant: Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the school day on each of more than three days in one school year or a combination thereof, is a truant and shall be reported to the attendance supervisor or superintendent of the school district.

E.C. § 48261 – Subsequent Report of Truancy: Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or superintendent of the district.

E. C. § 48262 – Habitual truant: Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261. For purposes of this section, a conscientious effort means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.

§ 48263.6 – Chronic truant: Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse for 10 percent or more of the schooldays in one school year, from the date of enrollment to the current date, is deemed a chronic truant, provided that the appropriate school district officer or employee has complied with Sections 48260, 48260.5, 48261, 48262, 48263, and 48291.
§ 48205. Excused absences; average daily attendance computation

(a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

(1) Due to pupil’s illness.

(2) Due to quarantine under the direction of a county or city health officer.

(3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.

(4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.

(5) For the purpose of jury duty in the manner provided for by law.

(6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.

(7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

(8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

(9) 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 Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.

(10) For the purpose of attending the pupil’s naturalization ceremony to become a United States citizen.

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

(c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) “Immediate family,” as used in this section, has the same meaning as set forth in Section 45194, except that references therein to “employee” shall be deemed to be references to “pupil.”
IMPORTANT INFORMATION ABOUT SCHOOL FUNDING

LETTER TO PARENTS AND GUARDIANS

School districts no longer receive funding from the State of California for pupils who are absent from school. This includes all absences, even those related to illness, medical or doctor appointments, or for the purpose of attending funeral services of a member of the immediate family. In other words, schools will receive state funding only for pupils who actually attend school.

If you find it necessary to keep your child out of school for reasons other than an illness, we encourage you to send your child to school for at least a part of the day so that your child will not be counted absent and also will not miss out on important school assignments. It is crucial that local schools continue to receive the financial resources necessary to provide your child with a quality education, and avert or minimize program cuts. We want to avoid the unnecessary absences that reduce district resources and limit your child’s opportunity to learn.

Studies show that there is a direct correlation between good school attendance and pupil achievement; therefore, we encourage you to reinforce the importance of good school attendance and to make every effort to send your child to school on a regular basis.

Again, we encourage your continued support to promote good school attendance and pupil achievement.
NOTICE OF ALTERNATIVE SCHOOLS
California Education Code Section 58501

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

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

(b) Recognize that the best learning takes place when the student learns because of his/her desire to learn.

(c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or part from a presentation by his/her 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.
Type 2 Diabetes Information
Pursuant to California Education Code Section 49452.7, this type 2 diabetes information is for local educational agencies to provide to parents and guardians of incoming seventh grade students beginning July 1, 2010.

The California Department of Education developed this type 2 diabetes information in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children’s Hospital of Orange County. Also see available translations of this information.

Description

Type 2 diabetes is the most common form of diabetes in adults.
Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.
According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.
The body turns the carbohydrates in food into glucose, the basic fuel for the body’s cells.
The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
In type 2 diabetes, the body’s cells resist the effects of insulin, and blood glucose levels rise.
Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia. Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

Risk Factors Associated with Type 2 Diabetes

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.

Risk Factors

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

Being overweight. The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.

Family history of diabetes. Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.

Inactivity. Being inactive further reduces the body's ability to respond to insulin.
Specific racial/ethnic groups. Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.

Puberty. Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.
Warning Signs and Symptoms Associated with Type 2 Diabetes

Warning signs and symptoms of type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has type 2 diabetes.

Increased hunger, even after eating
Unexplained weight loss
Increased thirst, dry mouth, and frequent urination
Feeling very tired
Blurred vision
Slow healing of sores or cuts
Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
Irregular periods, no periods, and/or excess facial and body hair growth in girls
High blood pressure or abnormal blood fats levels

Type 2 Diabetes Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.

Get more physical activity. Increase physical activity to at least 60 minutes every day.

Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

Types of Diabetes Screening Tests That Are Available

Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.

Random (non-fasting) blood sugar test. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.

Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.

Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Type 2 diabetes in children is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact your student's school nurse, school administrator, or health care provider if you have questions.
Know Your Educational Rights

Your Child has the Right to a Free Public Education

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students’ parents or guardians.
- In California:
  - All children have the right to a free public education.
  - All children ages 6 to 18 years must be enrolled in school.
  - All students and staff have the right to attend safe, secure, and peaceful schools.
  - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

Information Required for School Enrollment

- When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

Confidentiality of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If they do, then each year, your child's school district must provide parents/guardians with written notice of the school’s directory information policy, and let you know of your option to refuse release of your child's information in the directory.

Family Safety Plans if You Are Detained or Deported

- You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported. You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.
ORANGE COUNTY DEPARTMENT OF EDUCATION
Costa Mesa, California

SUPERINTENDENT’S POLICY

100-9

Sexual Harassment

The Orange County Department of Education is committed to maintaining a safe school environment that is free from harassment and discrimination. The Orange County Department of Education prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Orange County Department of Education also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The Orange County Department of Education strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or Orange County Department of Education compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying procedure.

The Superintendent or designee shall take appropriate actions to reinforce the Orange County Department of Education's sexual harassment policy.

Instruction/Information

The Superintendent or designee shall ensure that all Orange County Department of Education students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence

2. A clear message that students do not have to endure sexual harassment under any circumstance

3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained

4. A clear message that student safety is the Orange County Department of Education's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved

5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students

6. Information about the Orange County Department of Education's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the Orange County Department of Education investigation of a sexual harassment complaint continues.

8. A clear message that, when needed, the Orange County Department of Education will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment.

_Complaint Process and Disciplinary Actions_

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and Orange County Department of Education procedures specified in AR 1312.3 - Uniform Complaint Procedures.

 Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

_Record-Keeping_

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the Orange County Department of Education to monitor, address, and prevent repetitive harassing behavior in Orange County Department of Education schools.

Legal Reference: EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
48900 Grounds for suspension or expulsion
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
CIVIL CODE
51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor
GOVERNMENT CODE
12950.1 Sexual harassment training
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX, discrimination
UNITED STATES CODE, TITLE 42
1983 Civil action for deprivation of rights
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
99.1-99.67 Family Educational Rights and Privacy
106.1-106.71 Nondiscrimination on the basis of sex in education programs
California Statewide Testing Notification

California students take several mandated statewide tests. These tests provide parents/guardians, teachers, and educators with information about how well students are learning and becoming college and career ready. The test results may be used for local, state, and federal accountability purposes.

California Assessment of Student Performance and Progress

- **Smarter Balanced Assessment Consortium Assessments**
  The California Assessment of Student Performance and Progress (CAASPP) computer adaptive assessments are aligned with the Common Core State Standards (CCSS). English language arts/literacy (ELA) and mathematics tests are administered in grades three through eight and grade eleven to measure whether students are on track to college and career readiness. In grade eleven, results from the ELA and math assessments can be used as an indicator of college readiness.

- **California Science Tests (CAST)**
  The new, computer-based CAST measures student acquisition of the California Next Generation Science Standards. It is administered in grades five and eight, and once in high school. The new computer-based CAST replaces the California Standards Tests (CST) for Science.

- **California Alternate Assessments (CAA)**
  The computer-based CAA for ELA and CAA for mathematics is administered to students with the most significant cognitive disabilities in grades three through eight and grade eleven. Test items are aligned with the CCSS and are based on the Core Content Connectors. The instructionally embedded CAA for Science is administered in grades five and eight, and once in high school.

Pursuant to California *Education Code* Section 60615, parents/guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments.

English Language Proficiency Assessments for California

California will transition from the California English Language Development Test (CELDT) to the English Language Proficiency Assessments for California (ELPAC) in 2017–18. The ELPAC is aligned with the 2012 California English Language Development Standards. It consists of two separate English Language Proficiency (ELP) assessments: one for the initial identification of students as English learners and the other for the annual summative assessment to identify students’ English language proficiency level and to measure their progress in learning English.

Physical Fitness Test

The physical fitness test (PFT) for students in California schools is the FitnessGram®. The main goal of the test is to help students in starting lifelong habits of regular physical activity. Students in grades five, seven, and nine take the fitness test.

California Department of Education | January 2018
MEMORANDUM

DATE: July 2018

TO: All Staff

FROM: Renee Hendrick
Associate Superintendent, Administrative Services

SUBJECT: Uniform Complaint Procedures (Annual Notice)

The Orange County Department of Education (OCDE) is primarily responsible for compliance with federal and state laws and regulations related to complaint procedures.

The OCDE will investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, harassment, intimidation or bullying (including student lactation accommodations, and Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) resources), or failure to comply with legal requirements regarding the LCAP, unauthorized student fees, foster or homeless student rights as specified, courses without educational content in grades 9-12, and physical education instructional minutes, and will seek to resolve those complaints in accordance with the procedures set out in sections 4600-4687 of Title 5, California Code of Regulations and in accordance with the policies and procedures of the OCDE. OCDE posts a notice of the educational rights of foster and homeless youth and the complaint process to be followed as identified in this notice. Unlawful discrimination complaints may be based on actual or perceived gender, gender identity, gender expression, sex, sexual orientation, ethnic group identification, race, ancestry, nationality, national origin, immigration status, religion, color, mental or physical disability, marital or parental status, genetic information, age, any other characteristic that is contained in the definition of hate crimes in Penal Code section 422.55, 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.

Complaints should be filed with the Associate Superintendent, Administrative Services, who is designated as the Uniform Complaint Officer. The Uniform Complaint Procedure (programs, discrimination, non-compliance with LCAP requirements, foster or homeless student rights as specified, courses without educational content in grades 9-12, and physical education instructional minutes), the Unauthorized Student Fee Complaint Procedure, and the Williams Complaint Procedure (textbooks and instructional materials, teacher vacancy or misassignment, facilities, and high school exit examination) are described in the attached pages. Guidelines for filing a complaint are included in Orange County Superintendent’s Policy 100-8. Copies of the guidelines and the OCDE complaint procedures are available free of charge in the office of the Uniform Complaint Officer. Spanish translations of the guidelines and procedures are available upon request.

Attachments
Uniform Complaint Procedure

The Orange County Department of Education (OCDE or Department) recognizes that OCDE has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. OCDE encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, OCDE adopts the uniform system of complaint processes specified in 5 CCR sections 4600-4670. This procedure applies to the filing, investigation, and resolution of a complaint regarding an alleged violation by the Orange County Department of Education (OCDE) of federal or state law or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation and bullying.

I. Scope of Complaint Procedure

OCDE’s uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs including regional occupational programs, child care and development programs, child nutrition programs, After School Education and Safety; Agricultural Vocational Education; American Indian Education Centers and Early Childhood Education Program Assessments; Bilingual Education; California Peer Assistance and Review Programs for Teachers; Compensatory Education; Economic Impact Aid; Every Student Succeeds Act / No Child Left Behind; School Safety Plans; State Preschool; and Tobacco - Use Prevention Education and special education programs.

1. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any person in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics.

2. Any complaint alleging OCDE noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student.

3. Any complaint alleging OCDE noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. Such a complaint may be filed with the principal, the County Superintendent/designee, or the Uniform Complaint Officer/designee.

4. Any complaint alleging OCDE noncompliance with legal requirements related to the implementation of the local control and accountability plan.
5. Any complaint, by or on behalf of any student who is a foster youth, alleging OCDE noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of OCDE's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from local graduation requirements.

6. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging OCDE noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from local graduation requirements.

7. Any complaint, by or on behalf of a former juvenile court school pupil, as noted in Education Code sections 48645.3, 48645.5, 48647, 51225.1, and 51225.2, alleging OCDE noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from local graduation requirements.

8. Any complaint alleging OCDE noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions.

9. Any complaint alleging OCDE noncompliance with the physical education instructional minutes requirement for students in elementary school.

10. Any complaint alleging OCDE noncompliance with the requirement to provide certificated school site employees who serve pupils in any of grades 7 to 12 information on existing school site and community resources related to the support of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) pupils or related to the support of pupils who may face bias or bullying on the basis of religious affiliation, or perceived religious affiliation.

11. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.

12. Any other complaint as specified in an OCDE policy procedure or regulation.

II. Retaliation: Confidentiality

OCDE shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

III. Non-UCP Complaints

When an allegation that is not subject to the UCP is included in a UCP complaint, OCDE shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the OCDE’s UCP.

The following complaints shall not be subject to OCDE's UCP but shall be referred to the specified agency: (5 CCR 4611)
1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.

4. Any complaint alleging fraud shall be referred to the California Department of Education.

IV. Complaint Officer

The Associate Superintendent, Administrative Services, is designated as the Uniform Complaint Officer. The Uniform Complaint Officer shall be responsible for receiving complaints of unlawful discrimination, investigating complaints, and for ensuring that the Department complies with the provisions of this procedure. The Uniform Complaint Officer shall be knowledgeable about the laws and programs he or she is assigned to investigate. The Superintendent or designee shall provide training to OCDE staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

OCDE designates the individual(s) identified below as the employee(s) responsible for coordinating OCDE’s response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding sex discrimination. The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

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The compliance officer who receives a complaint may assign a designee to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant if a designee officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against or implicating a compliance officer may be filed with the Superintendent or designee.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those involving alleged unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.
The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, if possible, one or more interim measures. The interim measures may remain in place until the compliance officer determines that they are no longer necessary or until OCDE issues its final written decision, whichever occurs first.

V. Filing a Complaint

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in accordance with the following:

1. A written complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization.

2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred.

3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant or alleged victim of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) requests confidentiality, the compliance officer shall inform him/her that the request may limit OCDE's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, OCDE shall nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
VI. **Department Investigation**

Within 60 days from receipt of the complaint, the Uniform Complaint Officer shall complete an investigation of the complaint and prepare a written Department Decision. This time may be extended by written agreement of the complainant.

The investigation shall provide an opportunity for the complainant, or the complainant’s representative, or both, and Department representatives to present information relevant to the complaint. The investigation may include an opportunity for the parties to the dispute to meet to discuss the complaint or to question each other or each other’s witnesses.

After the compliance officer receives the complaint, the compliance officer shall promptly begin an investigation into the complaint. The compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence or information to support the allegations in the complaint.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation. In his/her investigation, the compliance officer should consider all relevant circumstances, such as how the misconduct affected one or more students' education; the type, frequency, and duration of the misconduct; the identity, age, and sex of the individuals involved in and impacted by the conduct and the relationship between them; the number of persons engaged in the conduct and at whom the conduct was directed; the size of the school, location of the incidents, and context in which they occurred; and other incidents at the school involving different individuals.

A complainant's refusal to provide OCDE's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

In accordance with law, OCDE shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of OCDE to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant.

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

In addition, if OCDE finds merit in a pupil fees, LCAP, and/or a Course Period without Educational Content complaint, the school or OCDE shall provide a remedy. Specifically, in Course Period without Educational Content complaints the remedy shall go to the affected pupil. In LCAP and pupil fee complaints, the remedy shall go to all affected pupils, parents and guardians, which in the case of pupil fees, also includes reasonable efforts by the school or OCDE to ensure full reimbursement to all affected pupils, parents and guardians subject to procedures established through regulations adopted by the state board. For pupil fee complaints, OCDE will attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

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Report of Findings

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report within 60 calendar days of OCDE's receipt of the complaint.

The Department Decision shall be in writing and sent to the complainant within 60 calendar days from receipt of the complaint by the Uniform Complaint Officer. The Decision shall be written in English and in the language of the complainant. The Decision shall contain the following:

1. Findings of fact based on the evidence gathered;
2. Conclusions of law;
3. A disposition of the complaint;
4. The rationale for such disposition;
5. Corrective actions, if any are warranted;
6. Notice of the complainant’s right to appeal the decision to the California Department of Education; and
7. The procedures to be followed for initiating an appeal to the California Department of Education.

VII. Appeal to California Department of Education and Civil Law Remedies

Any complainant(s) dissatisfied with the Department’s final written decision may file a written appeal with the California Department of Education within 15 days of receiving the Department Decision. The complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of OCDE's decision.

The appeal shall include:

1. A copy of the complaint, and
2. A copy of the Department Decision

Upon notification by the California Department of Education that the Department Decision has been appealed, the Uniform Complaint Officer shall forward the following to the California Department of Education:

1. The copy of the original complaint
2. A copy of the Department Decision
3. A summary of the nature and extent of the investigation conducted by the Department, if not covered in the Decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the Uniform Complaint Procedures, and
7. Such other relevant information requested by the CDE.

VIII. Annual Notification

Notifications

The Department’s UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms.
The Superintendent or designee shall annually provide written notification of OCDE’s UCP, including information regarding unlawful student fees, local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth and homeless students, to students, employees, parents/guardians, OCDE advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties.

The annual notification and complete contact information of the compliance officer(s) may be posted on the OCDE web site and, if available, provided through OCDE-supported social media.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in OCDE’s policy, procedures, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, OCDE’s policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, OCDE shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints

2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal antidiscrimination laws, if applicable

3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).

4. Include the following statements and information:
   a. OCDE has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
   b. Describe the scope of the complaint procedures.
   c. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
   d. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
   e. The complainant has a right to appeal OCDE's decision to the CDE by filing a written appeal within 15 calendar days of receiving OCDE's decision. In addition, for complaints alleging unlawful discrimination based on state law (such as discriminatory harassment,
intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of OCDE’s complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE.

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law.

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

f. The appeal to the CDE must include a copy of the complaint filed with OCDE and a copy of OCDE’s decision.

g. Copies of OCDE’s UCP policies and procedures are available free of charge.

IX. Civil Law Remedies

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws. Complainants are not required to exhaust the OCDE Uniform Complaint Procedure prior to pursuing civil law remedies. Civil law remedies include, but are not necessarily limited to, injunctions, restraining orders, or other remedies or orders arising from legal and equitable actions filed in California and federal courts. For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), a complainant may do the following:

1. He/she may pursue available civil law remedies outside of OCDE’s complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE.

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law.

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Assistance with the above civil law remedies may be obtained from various sources, including the following:

Private legal counsel
Legal assistance agencies, such as:
- Legal Aid Society of Orange County (714.571.5200)
- Legal Center of Hermandad Mexicana (714.541.0250)
**Williams Complaint Procedure**

This procedure applies to the filing, investigation, and resolution of a complaint regarding allegations related to the settlement and implementation of the Williams lawsuit against the State of California.

I. **Scope of Complaint Procedure**

This procedure applies to the investigation and resolution of complaints when the complainant alleges that any of the following has occurred:

1. **Textbooks and Instructional Materials**
   
   a) A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or Department-adopted textbooks or other required instructional materials to use in class.
   
   b) A pupil does not have access to textbooks or instructional materials to use at home or after school.
   
   c) Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
   
   d) A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. **Teacher Vacancy or Misassignment**
   
   a) A semester begins and a teacher vacancy exists.
   
   b) A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.
   
   c) A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

   “Teacher vacancy” means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester.

   “Beginning of the year or semester” means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester.

   “Misassignment” means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

3. **Facilities**

   a) A condition poses an emergency or urgent threat to the health or safety of pupils or staff.
“Emergency or urgent threat” means structures or systems that are in a condition that poses a threat to the health and safety of pupils or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition.

b) A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code section 35292.5.

“Clean or maintained school restroom” means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

“Open restroom” means, except as necessary for pupil safety or to make repairs, the school has kept all restrooms open during school hours when pupils are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes.

II. Filing of Complaint

A complaint alleging any condition(s) specified in items #1-3 above shall be filed with the principal/program administrator or designee at the school in which the complaint arises. The principal/program administrator or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Each school shall have a complaint form available for such complaints.

III. Investigation and Response

The principal/program administrator or the designee of the Superintendent, as applicable, shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal/program administrator or the designee of the Superintendent, as applicable, shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal/program administrator or designee shall report the same information to the Superintendent or designee.

When Education Code section 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Board of Education at a regularly scheduled meeting.

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3a above, a complainant who is not satisfied with the resolution
proffered by the principal/program administrator or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the Department’s response. The complainant shall comply with the appeal requirements specified in Title 5 CCR 4632.

All complaints and written responses shall be public records.

IV. Reports

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the County Board of Education on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

V. Forms and Notices

The Superintendent or designee shall ensure that the Department’s complaint form is available at each school, contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. However, complainants need not use the Department’s Williams complaint form in order to file a complaint.

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code section 35186.

Legal References: EDUCATION CODE
200-262.4 Prohibition of discrimination
222 Reasonable accommodations; lactating students
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedures
35186 Williams uniform complaint procedures
48645.3, 48645.5, 48647 Juvenile Court Schools
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49069.5 Rights of parents
49490-49590 Child nutrition programs
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, former juvenile court school pupils; course credits; graduation requirements
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
52800-52870 School-based program coordination
54400-54445 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
Consolidated application process

GOVERNMENT CODE
11135  Nondiscrimination in programs or activities funded by state
12900-12996  Fair Employment and Housing Act

PENAL CODE
422.55  Hate crime; definition
422.6  Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5
3080  Application of section
4600-4687  Uniform complaint procedures
4900-4965  Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688  Title IX of the Education Amendments of 1972
6301-6577  Title I basic programs
6801-6871  Title III language instruction for limited English proficient and immigrant students
7101-7184  Safe and Drug-Free Schools and Communities Act
7201-7283g  Title V promoting informed parental choice and innovative programs
7301-7372  Title V rural and low-income school programs
12101-12213  Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29
794  Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42
2000d-2000e-17  Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6  Title IX of the Civil Rights Act of 1964
6101-6107  Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28
35.107  Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3  Prohibition of discrimination on basis of race, color or national origin
104.7  Designation of responsible employee for Section 504
106.8  Designation of responsible employee for Title IX
106.9  Notification of nondiscrimination on basis of sex
110.25  Notification of nondiscrimination on the basis of age
Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide contact information below. The complaint and response are public documents as provided by statute. Response requested? □ Yes □ No

Name: ___________________________ Address: ___________________________

Phone Number: Day (___) _____ - _______ Evening (___) _____ - ___________________________

Issue(s) of the complaint (select all that apply – a complaint may contain more than one allegation of deficiency or deficiencies):

1. Textbooks and Instructional Materials:
   __ A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state adopted or district-adopted textbooks or other required instructional materials to use in class.
   __ A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
   __ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage. A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher Vacancy or Misassignment:
   __ A semester begins and a teacher vacancy exists. (A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.)
   __ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.
   __ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility Conditions:
   __ A condition poses an urgent or emergency threat to the health or safety of pupils or staff, including: gas leaks, nonfunctioning heating, ventilation, fire sprinklers or air-conditioning systems, electrical power failure, major sewer line stoppage, major pest or vermin infestation, broken windows or exterior doors or gates that will not lock and that pose a security risk, abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.
   __ A school restroom has not been maintained or cleaned regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
   __ The school has not kept all restrooms open during school hours when pupils are not in classes, and has not kept a sufficient number of restrooms open during school hours when pupils are in classes.

Date of Problem: ___________________________ Course or Grade Level: ___________________________

Location of Problem (School Name, Address): ___________________________ Teacher & Room Number: ___________________________

Please describe the issue of your complaint in detail. You may attach additional pages, if necessary, to fully describe the

Please file this complaint with the school Principal/Program Administrator and

with the

Associate Superintendent, Administrative Services at the following location: 200 Kalmus Drive, Costa Mesa, CA 92626.
September 24, 2018

Dear Parent/Guardian/Caregiver/Unaccompanied Youth,

Students who are identified as homeless under the federal McKinney-Vento Act have special rights in California to help keep them on track to graduate. Under a new state law enacted by Assembly Bill 1806, homeless students may be eligible for an exemption from local graduation requirements, if they meet certain conditions. If a homeless student transfers schools after completion of the second year of high school, and is not reasonably able to complete the graduation requirements set by the district by the end of the fourth year of high school, an exemption may be granted. Students who are granted this exemption must still complete the minimum state graduation requirements in order to receive a diploma. These requirements include 13 year-long courses, in the subject areas of English Language Arts; mathematics; science; social studies; visual or performing arts, foreign language, or technical education; and physical education. Homeless students also have a right to remain enrolled in high school for a fifth year, if needed, in order to complete local district graduation requirements.

While the exemption allows students to "catch up" in time to graduate with their peers, they may miss out on learning opportunities by taking fewer classes. Because there are both advantages and disadvantages to accepting the graduation exemption, it is important to discuss this option with your child’s school staff. If you would like to discuss the AB 1806 graduation exemption for your child, please schedule a meeting with school staff by contacting your ACCESS Administrative office at the phone number below.

ACCESS Administrative Offices

<table>
<thead>
<tr>
<th>Area</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area 1</td>
<td>(714) 245-6535</td>
</tr>
<tr>
<td>Area 2</td>
<td>(714) 245-6795</td>
</tr>
<tr>
<td>Area 3</td>
<td>(714) 245-6680</td>
</tr>
<tr>
<td>Area 4</td>
<td>(714) 935-7651</td>
</tr>
<tr>
<td>Area 5</td>
<td>(714) 245-6500</td>
</tr>
<tr>
<td>Area 6</td>
<td>(714) 796-8780</td>
</tr>
<tr>
<td>Area 7</td>
<td>(714) 796-8795</td>
</tr>
</tbody>
</table>

On behalf of the ACCESS staff, we look forward to assisting you in meeting your child’s educational needs.

Sincerely,

Laura Strachan
Assistant Superintendent, ACCESS
Definition of homeless:

The federal government’s legal definition of homelessness based on the McKinney-Vento Homeless Education Assistance Act is anyone who:

- Lacks a regular, fixed and adequate nighttime residence (substandard housing).
- Is sharing housing due to economic struggles (double-up).
- Is living in a shelter, hotel or motel.
- Is living in a public place not designated for sleeping (cars, parks).
- Is an unaccompanied youth.
- Is a child or youth awaiting foster care placement.
- Is a child or youth abandoned in a hospital.
- Is a migrant child who qualifies under any of the above definitions.

Children’s school enrollment rights

Your children have rights or protections under the McKinney-Vento Homeless Education Assistance Act and state law. They have the right to:

- Continue to attend the school in which they were last enrolled, even if you have moved away from that school’s attendance zone or district.
- Immediate enrollment.
- Enroll even if you do not have a permanent address. (Proof of residency is not required.)
- Enroll even if you do not have school or immunization records.
- Transportation from your current residence back to your school of origin.
- To receive special programs and services.

Need help?

For questions or help with enrolling in school, contact the local liaison or contact the county liaison:

Jeanne Awrey, Manager
Student Support Services
Orange County Department of Education
714-966-4093
jawrey@ocde.us
www.ocde.us/mv

One phone call will link you to all the help you’ll need, including where to get a meal, employment resources, shelters, healthcare, substance abuse, and much more.

Service is free, multilingual and available 24 hours a day, 7 days a weeks.

Call 2-1-1 or 1-888-600-4357

Other hotlines:

- CA Youth Crisis: 800-843-5200
- Child Abuse Registry: 800-207-4464
- Counseling Services ATSC: 949-756-0993
- Domestic Violence: 877-854-3594
- National Runaway Switchboard: 800-786-2929
- Orange County Transportation Authority: 714-636-7433 or 949-636-7433 (RIDE)
- Rape/Sexual Assault Crisis: 949-975-0244 or 714-957-2737
- Suicide Prevention Center: 877-727-4747
1. RIGHT TO REMAIN IN YOUR SCHOOL OF ORIGIN
   • You have the right to stay in the same school after you move to a new foster care placement. Your “school of origin” can be:
     1. The school you attended when you first entered foster care,
     2. The school you most recently attended, or
     3. Any school you attended in the last 15 months that you feel connected to.
   • Your school district must work with you, your education rights holder,* your caregiver, and your social worker/probation officer to develop a plan to transport you to your school of origin.
   • If you are transitioning from elementary school to middle school or from middle school to high school, you have the right to transition to the same school as your classmates.
   • If there is any disagreement about which school you will attend, you have the right to stay in your school of origin until the disagreement is resolved.

2. RIGHT TO IMMEDIATE ENROLLMENT IN SCHOOL
   • You have the right to immediately enroll in your regular home school after you move placements.
   • You cannot be forced to attend a continuation school or other alternative education program, such as independent study, even if you are behind in credits or have discipline problems at school.
   • You have a right to immediately enroll in school and begin attending classes, even if you do not have the paperwork you would normally need for enrollment (such as birth certificate, transcript, or IEP) or you did not check-out from your previous school.
   • Your previous school must send your education records to your new school after you enroll.
   • You have the right to participate in any activities available at your new school, such as sports teams, tutoring, or after-school clubs, even if you miss a tryout or sign-up deadline.

3. RIGHT TO PARTIAL CREDITS FOR HIGH SCHOOL STUDENTS
   • If you change schools during the school year, you have a right to partial credits in all classes that you are passing when you leave your old school, even if you do not complete the entire class.
   • After you change schools, your new school must accept the partial credits issued by your old school.
   • After you change schools, you have the right to be enrolled in the same or similar classes you were enrolled in at your last school.
   • You cannot be forced to retake a class or part of a class that you have already completed with a passing grade, if it would make you off-track for high school graduation.
   • You have the right to take or retake any class that you need to go to a California State University or University of California.
   • Your grade cannot be lowered because you were absent from school for a court hearing, placement change, or a court-related activity.

4. GRADUATION RIGHTS
   • You have the right to stay in high school for a fifth year to complete your school district graduation requirements, even if you are over 18.
   • If you are behind on your credits, and you transferred schools after 10th grade, you may be eligible to graduate under AB 167/216 by completing only the state graduation requirements (130 credits in specific classes) instead of your school district’s requirements.
   • If you are eligible, the decision of whether to graduate under AB 167/216 is made by your education rights holder.

5. COLLEGE RIGHTS
   • You have the right to have the application fee waived when you apply to a community college in California.
   • You have the right to receive the maximum amount of federal student aid and you may be eligible for up to $5,000 per year from the Chafee scholarship.
6. SCHOOL DISCIPLINE RIGHTS
- You cannot be suspended for more than 5 school days in a row or for more than 20 days in a school year.
- You have a right to be told why you are being suspended and the right to provide your version of events and evidence before you are suspended, unless there is an emergency. If the behavior for which you are being suspended could subject you to criminal charges, you should consult with your education rights holder or attorney before providing an oral or written statement to the school or police.
- Your attorney and social worker must be invited to a meeting before your suspension can be extended beyond 5 days and a suspension can only be extended if you are being considered for expulsion.
- You have a right to a formal hearing, and to be represented by an attorney at that hearing, before you are expelled.
- If you are facing a possible expulsion, your attorney and social worker must be notified. If you are in special education, your attorney and social worker must be invited to a meeting to decide whether your behavior was related to your disability.

7. RIGHT TO YOUR SCHOOL RECORDS
- You have the right to access your school records if you are 16 years or older or have finished 10th grade. Your social worker/probation officer and education rights holder can access your school records as well.

NON-EDUCATION RIGHTS
As a foster youth, you also have other rights that are not related to school, such as the right to see a doctor or to have private storage space. For more information, please see the Foster Youth Bill of Rights (www.fosteryouthhelp.ca.gov/rights2.html).

*EDUCATION RIGHTS HOLDERS
Every foster youth under age 18 must have an education rights holder, who is required to make education decisions in the youth’s best interest. Foster youth who are 18 or older have the right to make their own education decisions. Your education rights holder may be your parent or legal guardian, your caregiver, or another person chosen by the court. Your education rights holder cannot be your social worker or probation officer, your attorney, or group home or school staff members. It is important to know who your education rights holder is. If you need information about who your education rights holder is, you can contact your social worker or attorney.

If you believe your education rights have been violated, you can file a complaint. The school has 60 days to investigate and give you a written response. For information about how to file a complaint, please visit cde.ca.gov/re/cp/uc, or call the California Dept. of Education Coordinated School Health and Safety Office at (916) 319-0914.

For more information about your education rights, please see the Foster Youth Education Toolkit (www.kids-alliance.org/edtoolkit) or the California Youth Education Task Force (www.cfyetf.org). You also can contact your school district’s Foster Youth Educational Liaison or your county’s Foster Youth Services Coordinating Program (FYSC) at cde.ca.gov/ls/pf/fy.

For additional assistance in Orange County, contact:
ACCESS Foster Youth Educational Liaison:
Morgan Larkin at 714-668-7825
Orange County Coordinator: Raina Lee at 714-835-4909
ACCESS COMMUNITY SCHOOLS
FAMILY ENGAGEMENT POLICY

DEVELOPMENT OF THIS POLICY
This Policy was developed with input from parents and guardians of students attending ACCESS Community Schools. These individuals are referred to throughout this Policy as “families.” This Policy is reviewed annually and updated as needed by the Parent Advisory Committees, and distributed at the time of enrollment. The Policy is also available to families and the community on the Fischer School website:

http://www.ocde.us/ACCESS/FischerAU/Pages/default.aspx

IN VolVEMENT
Research tells us that family engagement in schools makes a big difference. When schools, families, and communities work together, student achievement increases. ACCESS Community Schools welcome and encourage family participation in a variety of ways.

1. ACCESS Community Schools convene annual meetings for families to inform them of the school’s participation in Title I Programs, requirements of family involvement, and rights of families to be involved.
   - Title I Annual Meetings are held in conjunction with open house events at the school sites.

2. ACCESS Community Schools offer a flexible number of meetings to accommodate the diverse schedules of our families.
   - Meetings such as Open Houses and Parent Nights are held throughout the year on various days.

3. ACCESS Community Schools involves families in an organized, on-going, and timely manner in the planning, review, and improvement of programs regarding family involvement, including the school’s Family Engagement Policy and development/revision of school-wide program plans.
   - These documents are reviewed annually and updated as needed by the Parent Advisory Committees.

4. ACCESS Community Schools provide families with timely information about the curriculum, forms of academic assessment used to measure student progress, and proficiency levels students are expected to meet.

These documents are reviewed annually and updated as needed by the Parent Advisory Committees. Curriculum and assessment information, including state testing results, is included in the School Accountability Report Card (SARC), available on the Fischer School website:

http://www.ocde.us/ACCESS/FischerAU/Pages/default.aspx

Additional information on curriculum, standards, and assessment is provided to families at school events and Title I Annual Meetings.
**SHARED RESPONSIBILITIES FOR HIGH STUDENT ACADEMIC ACHIEVEMENT**

1. ACCESS Community Schools jointly develop with and distribute to families a School-Family Compact that outlines how families, the entire school staff, and students share the responsibility for improved student academic achievement, and the means by which the school and families build and develop a partnership to help achieve California’s high standards.

2. The compact describes the school’s responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment, and the ways in which each parent will be responsible for supporting their children’s learning.

3. The compact addresses the importance of on-going communication between teachers and families through annual conferences in which the compact is discussed as it relates to each child’s achievement, frequent reports to families regarding their children’s progress, reasonable access to staff, opportunities to volunteer and participate in the classroom, and observation of classroom activities.

**BUILDING CAPACITY FOR INVOLVEMENT**

1. ACCESS Community Schools provide assistance to families in understanding the state’s academic content standards, state student achievement standards, state and local academic assessments, requirements for family involvement, how to monitor their child’s progress, and how to work with educators to improve the achievement of their children.

   - The above information is provided at Title I Annual Meetings, other school events, and Parent-Teacher conferences.

2. ACCESS Community Schools provide materials and training to help families improve their children’s achievement.

   - Materials and training are provided at workshops, parenting classes, and Title I Annual meetings.

   These meetings are designed to be informative and interactive and allow time for school staff to share general information and school-wide assessment results, as well as provide a forum for parents to ask questions and offer observations. Interactive activities at these meetings include small group discussions and demonstrations of lessons that provide parents with insight into the curriculum and instructional strategies.

   - Parent-Teacher Conferences provide an opportunity to discuss individual student needs.

   At smaller, personalized meetings with teachers and administrators, parents are able to discuss their child’s assessment results, classroom participation, goals, and progress toward graduation. Parents are encouraged to monitor their child’s educational development through ongoing communication with the teacher, which is supported by the bilingual Title I Family Community Liaison who arranges the meetings and provides interpretation services when needed.

3. ACCESS Community Schools educates teachers, pupil services personnel, principals and other staff with the assistance of families, in the value and utility of contributions of families, and how to reach out to, communicate with, and work with families as equal partners, implement and coordinate parent programs, and build ties between families and the school.

   - To build the capacity for all school staff to support family engagement, training is provided at regional staff development meetings, conferences, and workshops.
• All ACCESS school sites receive a Family Events Toolkit that provides guidance for implementing effective family engagement events.

4. To the extent feasible and appropriate, ACCESS Community Schools coordinate and integrate family involvement programs and activities with other federal programs, and conducts activities that encourage and support families in more fully participating in the education of their children.

5. ACCESS Community Schools translate and send to families, in their primary language, information regarding school events, parent programs, and other family involvement opportunities.

6. ACCESS Community Schools provide other reasonable support for family involvement activities as families may request.

ACCESSIBILITY

1. ACCESS Community Schools provide full opportunities for the participation of families with Limited English Proficiency, disabilities, and migratory children.

   • ACCESS Community Schools provide materials and conduct trainings in the language spoken by families as required by law

Local Board approval date: June 12, 2018
ACCESS FAMILY ENGAGEMENT POLICY

Research tells us that family engagement in schools makes a big difference. When schools, families, and communities work together, student achievement increases. ACCESS welcomes and encourages family participation in a variety of ways.

To ensure that parents and guardians are provided with opportunities to be engaged in their children’s education, ACCESS implements the strategies described below:

1. **ACCESS involves families in the joint development of the Local Control Accountability Plan (LCAP) and in the process of school review for program improvement schools under Section 1116.**

   The Parent Advisory Committees provide input on the LCAP in accordance with the review schedule as established by the Governing Board.

   ACCESS invites input on the plan from other district committees, such as the District English Learner Advisory Committee (DELAC).

2. **ACCESS helps schools to plan and implement effective family involvement activities to improve student academic achievement and school performance.**

   The Title I Family Involvement Program Manager will provide training and support to assist schools in developing family-friendly programs.

   All ACCESS school sites receive a Family Events Toolkit that provides guidance for implementing effective family engagement activities.

3. **ACCESS builds school and family capacity for strong family involvement.**

   ACCESS assists families in understanding such topics as the state’s academic content standards and academic achievement standards, state and local academic assessments, requirements of Title I, and how to monitor their children’s progress and work with educators to improve the achievement of their children. This information is made available to families during school site events and programs; Title I Annual Meetings; LCAP General, EL, and Foster Youth Advisory Committee meetings; and the ACCESS website.

   ACCESS provides materials and training to help families improve their children’s achievement. Materials and training will be provided through workshops, parenting classes, and Title I Annual Meetings.

   ACCESS educates teachers, student services personnel, principals, and other staff, with the assistance of families, in the value and utility of family contributions and in how to reach out to, communicate with, and work with families as equal partners, implement and coordinate family programs, and build ties between families and the school.

   ACCESS coordinates professional development opportunities designed to build the capacity of school staff to work effectively with families from diverse backgrounds. To the extent feasible and appropriate, ACCESS will coordinate and integrate family engagement activities with Safe Schools, English Learner Programs, and other federally-funded programs, and conduct other activities that encourage and support families to more fully participate in their children’s education.
ACCESS ensures that information related to school and family programs, meetings, and other activities is sent to the families of participating students in a format, and to the extent practicable, a language that families can understand.

ACCESS provides other such reasonable support for family involvement activities as families may request. ACCESS informs families of the existence and purpose of local and statewide family resource centers that provide training, information, and support to families of participating students.

4. **ACCESS coordinates and integrates Title I Part A family engagement strategies with family engagement strategies of other programs.**

Title I coordinates strategies with English Learner Programs, Safe Schools, and Probation staff to maximize the effectiveness of family outreach efforts.

5. **ACCESS conducts, with the involvement of families, an annual evaluation of the content and effectiveness of the family involvement policy and uses the findings of the evaluation to design more effective family involvement practices.**

ACCESS ensures that the evaluation includes the identification of barriers to greater participation in family involvement activities, with particular attention to families who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

ACCESS uses the evaluation results to design strategies for more effective family involvement, and, if necessary, to recommend changes in the family engagement policy.

6. **ACCESS involves families in the activities of schools served by Title I.**

ACCESS includes information about school activities at the time of enrollment and promotes attendance at school activities by contacting families via telephone and by mailing flyers to families at home.

To the extent practicable, ACCESS will assist schools with interpreting and translation services or other accommodations needed to encourage participation of families.

*Local Board approval date: June 12, 2018*
School-Family Compact

The key to student success

Research shows that when schools, families, and communities work together, student achievement increases. Developed with the input of teachers, families, and students, this compact outlines our shared responsibility to build a partnership to help students meet or exceed the state standards.

School Pledge

ACCESS will support student learning in these ways:

School Climate
ACCESS will create a climate of caring, respect, and acceptance for each student. Safety and security will be a priority.

Curriculum
ACCESS will provide a rigorous, relevant, and realistic curriculum that is accredited by the Western Association of Schools and Colleges (WASC), and aligned with local district and state standards. Classroom instruction will be supported with Title I, Special Education, and English Learner Support Services.

Communication
ACCESS will promote effective communication with families by holding parent-teacher conferences as needed throughout the year; facilitating reasonable access to school staff by appointment, phone, and email; issuing frequent reports on student progress; and providing opportunities for parents to volunteer, participate, and observe classroom activities.

How to Get Involved

1. Attend events at the school, such as Parent Nights and College Fairs
2. Participate actively in parent-teacher conferences
3. Volunteer for School Site Council or Parent Advisory Committees

Orange County Department of Education’s Academic Priority Areas for Students

1. Increase the effective use of technology
2. Increase parent and stakeholder engagement
3. Build competencies to prepare students for success in college, career, and life
Family Pledge

I will support my child’s education at home in these ways:

**College and Career Goals**

I will help my child set educational and career goals. I will talk to my child regularly about the value of education and why knowledge is empowering. I will show my child real-life applications in all subject areas. I will encourage the use of technology to support learning.

**School Policies**

I will make sure my child attends school every day on time. I will support the school’s rules and discipline policy. I will communicate regularly with teachers and administrators regarding my child’s progress in school.

**Extra-Curricular Time**

I will promote the positive use of extra-curricular time. I will encourage my child to read a variety of material daily.

**Engagement**

I understand that my involvement in my child’s education is important to my child’s success. I will make every effort to attend school meetings and events, such as parent-teacher conferences and Parent Nights. I will participate, as appropriate, in decisions related to my child’s education.

My college and career goals for my child are:

__________________________

__________________________

Student Pledge

I will take responsibility for my own learning in these ways:

**College and Career Goals**

I will set short- and long-term educational and career goals for myself. I will apply 21st Century Skills (Communication, Collaboration, Critical Thinking, Creativity, and Character) to real-life situations. I will utilize technology appropriately to support my learning.

**School Policies**

I will attend school every day on time. I will follow the school’s rules and discipline policy. I will complete assignments on time, earn passing grades, and complete credits at an appropriate rate.

**Extra-Curricular Time**

I will read outside of class every day. I will make positive use of my time outside of school.

**Engagement**

I will participate actively in class. I will ask for help from teachers and family when needed.

My college and career goals are:

__________________________

__________________________
ACCESS YOUTH CORRECTIONAL EDUCATION PROGRAM SCHOOLS
FAMILY ENGAGEMENT POLICY

DEVELOPMENT OF THIS POLICY

This Policy was developed with input from parents and guardians of students attending ACCESS Youth Correctional Education Programs (YCEP). This Policy is reviewed annually and updated as needed by the School Site Council, and distributed at the Title I Annual Meeting. The Policy is available to families and the community on the Fischer School website: http://www.ocde.us/ACCESS/FischerAU/Pages/default.aspx.

INvolVEMENT

Research tells us that family engagement in schools makes a big difference. When schools, families, and communities work together, student achievement increases. ACCESS YCEP schools welcome and encourage family participation in a variety of ways.

1. ACCESS YCEP convenes an annual meeting for families to inform them of the school’s participation in Title I Programs, requirements of family involvement, and rights of families to be involved.
   - Title I Annual Meetings are held in conjunction with Open House and/or other parent events at the institutions.

2. ACCESS YCEP offers a flexible number of meetings to accommodate the diverse schedules of our families.
   - Open House events are held in conjunction with weekend visiting hours.
   - Parent-Teacher-Student Association (PTSA) meetings are held during the lunch hour to allow families and Probation staff to attend.

3. ACCESS YCEP involves families in an organized, on-going, and timely manner in the planning, review, and improvement of programs regarding family involvement, including the School’s Family Engagement Policy and development/revision of school-wide program plans.
   - These documents are reviewed annually and updated as needed by the School Site Council.

4. ACCESS YCEP provides families with timely information about the curriculum, forms of academic assessment used to measure student progress, and proficiency levels students are expected to meet.
   - Curriculum and assessment information, including state testing results, is included in the School Accountability Report Card (SARC), available on the Fischer School website: http://www.ocde.us/ACCESS/FischerAU/Pages/default.aspx. Additional information on curriculum, standards, and assessment is provided to families at school events and the Title I Annual Meeting.
SHARED RESPONSIBILITIES FOR HIGH STUDENT ACADEMIC ACHIEVEMENT

1. ACCESS YCEP jointly develops with and distributes to families a School-Family Compact that outlines how families, the entire school staff, and students share the responsibility for improved student academic achievement, and the means by which the school and families build and develop a partnership to help achieve California’s high standards.

2. The Compact describes the school’s responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment and the ways in which each parent will be responsible for supporting their children’s learning.

3. The Compact addresses the importance of ongoing communication between teachers and families through conferences in which the compact is discussed as it relates to each child’s achievement, frequent reports to families regarding their children’s progress, reasonable access to staff, and opportunities to volunteer and participate in school activities.

BUILDING CAPACITY FOR INVOLVEMENT

1. ACCESS YCEP provides assistance to families in understanding the state’s academic content standards, state student achievement standards, state and local academic assessments, requirements for family involvement, how to monitor their child’s progress, and how to work with educators to improve the achievement of their children.

   • The above information is provided at the Title I Annual Meeting and/or other school events.

2. ACCESS YCEP provides materials and training to help families work with their children to improve achievement.

   • Materials and training are provided at workshops, parenting classes, the Title I Annual Meeting, and are available on the Fischer School website:

       http://www.ocde.us/ACCESS/FischerAU/Pages/default.aspx

3. ACCESS YCEP educates teachers, pupil services personnel, principals and other staff with the assistance of families, in the value and utility of contributions of families, and how to reach out to, communicate with, and work with families as equal partners, implement and coordinate parent programs, and build ties between families and the school.

   • To build the capacity for all school staff to support family engagement, training is provided at regional staff development meetings, conferences, and workshops.

   • All YCEP school sites receive a Family Events Toolkit that provides guidance for implementing effective family engagement events.

4. To the extent feasible and appropriate, ACCESS YCEP coordinates and integrates family involvement programs and activities with other federal programs, and conducts other activities that encourage and support families to more fully participate in the education of their children.
5. ACCESS YCEP translates and makes available to families, in their primary language, information regarding school programs, family programs, meeting notices, agendas, minutes, and handouts.

6. ACCESS YCEP provides other reasonable support for family involvement activities as families may request.

ACCESSIBILITY

1. ACCESS YCEP provides full opportunities for the participation of families with Limited English Proficiency, disabilities, and migratory children.

   - ACCESS YCEP provides materials and conducts trainings in the language spoken by families as required by law.

Local Board approval date: June 12, 2018
Date:    July 1, 2018

Subject: NO CHANGE IN SCHOOL POLICY REGARDING MARIJUANA USE ON CAMPUS AFTER THE PASSAGE OF PROPOSITION 64.

Dear Parent or Guardian:

As you may be aware, the State Ballot Initiative Proposition 64, the Adult Use of Marijuana Act (AUMA) passed on November 8, 2016, becoming effective the following day, on November 9, 2016. This allows adults over the age of 21 to grow and possess limited amounts of marijuana, as well as use marijuana in their private residence. It continues to be unlawful to consume marijuana in public. This letter is to inform you that the passage of the Proposition does not impact any of the school district’s existing drug use or possession policies.

Possession of marijuana upon school grounds during hours the school is open for classes or school-related programs is still illegal under the new law. Marijuana also remains a Schedule I drug under the Federal Controlled Substance Act, meaning that it has no currently accepted medical use and further, has a high potential for abuse. Therefore, the Orange County Department of Education's Alternative, Community, Correctional Education and Student Services (ACCESS) program will not tolerate the use, possession, or sale of drugs (including marijuana), alcohol, tobacco, or related paraphernalia by students, parents or other visitors on school campuses or at school-sponsored activities. Education Code 48900© specifically states a student can be suspended or expelled if they “unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section I 1053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.”

If you have any questions regarding the district’s drug policy, parents and students are encouraged to seek assistance at their school site and/or ACCESS Administrative office. For more information, I may be reached at (714) 245-6403.

Sincerely,

[Signature]
Laura Strachan
Assistant Superintendent, Alternative Education, ACCESS
Orange County Department of Education
Internet Acceptable Use Policy

Internet access is available to Orange County Department of Education Alternative, Community, and Correctional Education Schools and Services. Our goal in providing this service is to promote educational excellence in the Orange County Department of Education by facilitating resource sharing, innovation, and communication.

The Internet is an “electronic highway” connecting millions of computers all over the world and millions of individual users. Access to the Internet will enable pupils to explore thousands of libraries, databases, and bulletin boards while exchanging messages with users throughout the globe. In addition, the system is used to increase Orange County Department of Education communication, enhance productivity, and assist OCDE employees in upgrading their skills through greater exchange of information with their peers. The system also assists the Orange County Department of Education in sharing information with the local community, including parents, social service agencies, government agencies, and businesses.

With access to computers and people from around the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. Families should be warned that some material obtained via the Net may contain items that are illegal, defamatory, inaccurate, or potentially offensive. The Orange County Department of Education has taken precautions to restrict access to controversial materials. On a global network it is impossible to control all materials and an industrious user may discover controversial information, either by accident or deliberately. However, the benefits to pupils from online access far outweigh the possibility that users may procure material that is not consistent with the educational goals of the Orange County Department of Education.

The purpose of this agreement is to ensure that use of Internet resources is consistent with the Orange County Department of Education’s stated mission, goals, and objectives. The smooth operation of the network relies upon the proper conduct of the pupils and faculty who must adhere to strict guidelines. These guidelines are provided here so that you are aware of the responsibilities you are about to acquire. If an Orange County Department of Education user violates any of these provisions, his or her future access could be denied in accord with the rules and regulations discussed with each user during Internet training sessions.

To gain access to the Internet, all pupils under the age of 18 must obtain parental permission and both parent and pupil must sign this document. The signatures at the end of this document legally bind and indicate the parties who signed have read the terms and conditions carefully and understand their significance.

Orange County Department of Education Internet Use Agreement
Pupil Section
I have read the Orange County Department of Education Internet Use Terms & Conditions on the next page. I agree to follow the rules contained in this Policy. I understand that if I violate the rules, my account can be terminated and I may face other disciplinary measures.

User’s Signature: __________________________________________ Date: _________________________________

Parent or Guardian Section
As the parent or legal guardian of the pupil signing above, I have read pages one and two of the Orange County Department of Education Internet Use Agreement and grant permission for my son or daughter to access the Internet. I understand the Department of Education’s computing resources are designed for educational purposes. I also understand that it is impossible for the Department of Education to restrict access to all controversial materials and I will not hold them responsible for materials acquired on the network. I understand that the individuals and families may be held liable for violations. Furthermore, I accept full responsibility for the supervision if and when my child’s use is not in a school setting.

Parent’s Signature: __________________________________________ Date: _________________________________
Internet - Terms and Conditions

1. Pupils are responsible for good behavior on the school computer networks, just as they are in a classroom or a school hallway. General school rules for behavior and communications apply.

2. The network is provided for pupils to conduct research and communicate with others. Access to network services is given to pupils who agree to act in a considerate and responsible manner. Access is a privilege - not a right. That access entails responsibility. Inappropriate use will result in suspension or cancellation of Internet privileges. The system administrators may close an account at any time as required. The administration, faculty, and staff may request the system administrator to deny, revoke, or suspend specific user accounts.

3. Users are expected to abide by their generally accepted rules of network etiquette and conduct themselves in a responsible, ethical, and polite manner while online.

4. Users are not permitted to use the computing resources for commercial purposes, product advertising, political lobbying, or political campaigning.

5. Users are not permitted to transmit, receive, submit, or publish any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, offensive, or illegal material.

6. Physical or electronic tampering with computer resources is not permitted. Damaging computers, computer systems, or computer networks intentionally will result in cancellation of privileges.

7. Users must respect all copyright laws that protect software owners, artists, and writers. Plagiarism will not be tolerated.

8. Security on any computer system is a high priority, especially when the system involves many users. If a security problem is identified in the school’s computers, network, or Internet connection, a system administrator must be notified. Using someone else’s password or trespassing in another’s folders, work, or files without written permission is prohibited and may result in cancellation of user privileges.

9. The Orange County Department of Education makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Department assumes no responsibility or liability for any phone charges, line costs, or usage fees, nor for any damages a user may suffer. This includes loss of data resulting from delays, non-deliveries, or service interruptions caused by its own negligence or your errors or omissions. Use of any information obtained via the Internet is at your own risk. The Department specifically denies any responsibility for the accuracy or quality of information obtained through its services.

10. All communication and information accessible via the computer resources shall be regarded as private property. However, people who operate the system may review files and messages to maintain system integrity and insure that users are using the system responsibly. Messages relating to or in support of illegal activities may be reported to the authorities.

Any violations may result in a loss of computer access, as well as other disciplinary or legal action. Users are considered subject to all local, state, and federal laws.
Annual Written Notification of Pesticide Application:
For Parents

Dear Parent or Guardian,

The Healthy Schools Act of 2000 was signed into law in September 2000 and requires that all schools provide parents or guardians of pupils with annual written notification of expected pesticide use on school sites. The notification will identify the active ingredient or ingredients in each pesticide product and will include the Internet address (http://www.cdpr.ca.gov) for further information on pesticides and their alternatives. We will send out annual notifications starting DATE: _____________________.

Parents or guardians may request prior notification of individual pesticide applications at the school site. Beginning on DATE: _________________, people listed on this registry will be notified at least 72 hours before pesticides are applied. If you would like to be notified every time we apply a pesticide, please complete and return the form below and mail it to: ________________________________________________________.

If you have any questions, please contact: __________________________ Phone# __________________________

Sincerely,

______________________________________________

REQUEST FOR INDIVIDUAL PESTICIDE APPLICATION NOTIFICATION

NAME OF SCHOOL: ____________________________________________________________

I understand that, upon request, the school district is required to supply information about individual pesticide applications at least 72 hours before application. I would like to be notified before each pesticide application at this school.

I would prefer to be contacted by (circle one):       U.S. Mail       E-mail       Phone

Please print neatly:

Name of Parent/Guardian: ________________________________ Date: ____________________

Address: __________________________________________________________________

Day Phone: ( ) __________________________ Evening Phone: ( ) __________________________

E-Mail: ______________________________

Return to: __________________________________________

[ENTER SCHOOL CONTACT NAME, ADDRESS ABOVE]
PARENT OR GUARDIAN ACKNOWLEDGMENT OF RECEIPT OF ANNUAL RIGHTS AND RESPONSIBILITIES NOTIFICATION

Detach, sign, and return this page to your child’s school.

By signing below I indicate I have read the attached Notice. My signature does not mean I have consented to my child’s participation in any particular program or activity.

Student’s Name: ____________________________________________

School: ____________________________________________ Grade: ____________________________________________

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

Signature of Parent or Guardian: _______________ Date: __________________________

PLEASE COMPLETE THE FOLLOWING IF APPLICABLE:

CONTINUING MEDICATION

Student’s Name: ____________________________________________

Student is on a continuing medication program: (Please check one) YES _____ NO _____

If YES, by signing below you have my permission to contact student’s physician:

Physician’s Name________________________ Telephone:________________________

Medication:________________________ Dosage:________________________

Medication:________________________ Dosage:________________________

Signature of Parent or Guardian: _______________ Date: __________________________

RELEASE OF DIRECTORY INFORMATION

If you do not wish directory information released (page 3), please sign where indicated below and ensure receipt of this form by the school office within the next 30 days. Note: by signing below this will prohibit the district from providing the student’s name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

Do NOT release directory information regarding __________________________

(Student’s Name)

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

Signature of Parent or Guardian: _______________