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**Patrick Kelley, Superintendent**

**2019-2020 ANNUAL NOTIFICATION  
(Read Only)**

Dear Parent or Guardian:

State law requires the governing board to notify parent(s) or guardian(s) of minor pupils enrolled in Murrieta Valley Unified School District ("District") schools of the legal rights and responsibilities pertaining to their child(ren)'s or education. The governing board recognizes that the District is responsible for ensuring that it complies with State and Federal Laws and regulations governing educational programs. The District is required to give annual notification to parents and guardians regarding certain portions of the instructional program and matters related to school administration.

Each parent or guardian is required to sign and return the attached signature page ("Parent/Student Signature Form") acknowledging their receipt of this notice. Please return the signed Parent/Student Signature Form to your child's school or the District office. Your signature is an acknowledgment that you have been informed of your rights; it does not give consent for your child or ward to participate in any activity or program in the schools.

Some legislation requires additional notification to the parents or guardians during the school term prior to a specific activity. A separate letter will be sent to the parents or guardians prior to any of these specified activities or classes. Other legislation grants certain rights that are spelled out in this Annual Notification.

The governing board encourages each parent and guardian to read and know their rights under the laws governing the education of their children. The District and its governing board recognize that parent or guardian involvement in their child's education promotes student achievement and contributes greatly to the student's success. Parents or guardians are urged to fully exercise their rights according to the laws that are explained in this Annual Notification. If you have questions or concerns, please contact the principal of your child's school.

Thank you for your cooperation.

Patrick Kelley Superintendent

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## **ATTENDANCE**

**ADMISSION:** (EC 48002) The parent or guardian of a child shall, prior to the first admission of the child (transitional kindergarten, kindergarten, or first grade) to the school district, present proof to the authorities of the District evidencing that the child is of the minimum age fixed by law for admission thereto. The method of proof of age shall be prescribed by the governing board, and the evidence may be in the form of a certified copy of a birth record or a statement by the local registrar or a county recorder certifying the date of birth, or a baptism certificate duly attested, or a passport, or, when none of the foregoing is obtainable, an affidavit of the parent, guardian or custodian of the minor, or any other appropriate means of proving the age of the child as prescribed by the governing board of the school district.

**EXCUSED ABSENCES:** (EC 48205, 48206.3, 46014, 48207, 48208) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

1. Due to his or her illness;
2. Due to quarantine under the direction of a county or city health officer;
3. For the purpose of having medical dental, optometric or chiropractic services rendered;
4. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California;
5. 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, including absences to care for a sick child for which the school shall not require a note from a doctor; or
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
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 EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. A valid excuse may include other reasons that are within the discretion of school administrators and based on the pupil's circumstances.
  - a. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
11. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
12. "Immediate Family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
13. Pupils who are members of religions which observe religious holidays that fall on school days shall be excused from school by making prior arrangements as specified by the school principal.
  - a. Such absences are considered excused absences.
  - b. Pupils so absent must accept responsibility for making up work missed.
  - c. Pupils, with written consent of their parent/guardian, may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at their respective places of worship, or as other suitable conditions are complied with as defined in EC 46014.
  - d. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

**NOTICE TO PARENT OR GUARDIAN OF A TRUANT:** Students absent without a valid excuse for more than three (3) days in one school year shall be classified as truant. Students who are more than thirty (30) minutes tardy on three (3) or more school days in one school year shall be classified as truant. The District also regards excessive early releases for non-medical reasons as establishing a pattern of irregular attendance. Such students shall be reported to the principal. If alternative educational programs are available in the District, the student's parents/guardian shall be so informed.

- The first time a truancy report is issued, the pupil and the parent or legal guardian, may be requested to attend a meeting with a school counselor or other school's designees to discuss attendance issues and develop a plan to improve attendance.
- The second time a truancy report is issued within the same school year, the pupil may be given a warning by a peace officer pursuant to Penal Code 830.1. The pupil may also be assigned to an afterschool or weekend study program located within the same county as the pupil's school.
- The third time a truancy report is issued within the same school year, the pupil shall be classified as a habitual truant and may be required to attend an attendance review board or a truancy mediation program pursuant to EC 48263.
- The fourth time truancy is issued within the same school year, the pupil may be brought within jurisdiction of the Juvenile Court that may adjudge the pupil to be a ward of the court pursuant to Welfare and Institutions Code 601.

**SCHOOL ATTENDANCE REVIEW BOARD REFERRAL:** (EC 48263) If any minor pupil is a habitual truant, or is irregular in attendance at school, as defined by the Education Code, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board or to the probation department for services, if the probation department has elected to receive these referrals. The supervisor of attendance, or any other persons designated to make the referral, shall notify the minor and parents/guardian of the minor, in writing, of the name and address of the board or probation department to which the matter has been referred and of the reason for the referral.

## **BULLYING**

**SCHOOL SAFETY/ BULLYING:** (EC 234.4, 32283.5) The District is committed to the prohibition of discrimination, harassment, intimidation, and bullying. Annual training materials related to bullying and bullying prevention will be provided to all certificated employees and staff who have regular interactions with students. You may find a list of education web pages describing the staff training at [www.cde.ca.gov/ls/ss/se/bullyingres.asp](http://www.cde.ca.gov/ls/ss/se/bullyingres.asp). If you or our child should experience bullying on campus, at school events, or on the way to or from school, please contact your school administration or the District's Student Support Office at 951-696-1600 for assistance.

**CYBER SEXUAL BULLYING:** (EC 234.2) District may suspend or expel students who engage in cyber sexual bullying consistent with the District's disciplinary procedures. The California Department of Education has developed information regarding cyber sexual bullying available at [www.cde.ca.gov/ls/ss/se/bullyingprev.asp](http://www.cde.ca.gov/ls/ss/se/bullyingprev.asp)

**Bullying Information:** The United States government has developed information regarding bullying at <https://www.stopbullying.gov/what-is-bullying/index.html>

## **DRESS CODE**

**DRESS CODE/GANG APPAREL:** (EC 35183, 35183.5) The District's Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students have the right to make individual choices from a wide range of clothing and grooming styles, but they must not present a health or safety hazard or distraction which would interfere with the educational process. School dress codes must allow sun protective clothing, including hats, to be worn outside. However, the type of clothing/hats can be regulated by the school as part of the dress code.

## **EDUCATIONAL SERVICES**

**ADVANCED PLACEMENT & INTERNATIONAL BACCALAUREATE EXAM FEES:** (EC 48980(k), 52244): Eligible high school students may receive financial assistance to cover the costs of the advanced placement examination fees or the International Baccalaureate examination fees, or both. Please contact the high school office for information.

**AVAILABILITY OF PROSPECTUS:** (EC 49063, 49091.14) Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. The prospectus of curriculum is available on the District website at [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

**CAL GRANT PROGRAM:** (EC 69432.9) All pupils enrolled in grade 12 will be deemed Cal Grant applicants, unless they, or their parent or guardian if the pupil is 17 years or younger, specifically opts-out of such notification. The District will electronically submit each 12th

grade pupil's grade point average by October 1<sup>st</sup> of the pupil's 12th grade school year. A pupil of 18 years of age or a parent or guardian of a pupil 17 years or younger may, by written statement, opt out of the Cal Grant program.

**CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS:** (EC 52052, 60640; 5 CCR 852) The California Assessment of Student Performance and Progress (CAASPP) includes Smarter Balanced Summative assessments in English Language Arts and Math in grades 3-8 and 11 and California Alternate Assessments (CAA) in English Language Arts and Math in grades 3-8 and 11 for students with significant cognitive disabilities. The California Science Test (CAST) for science is required for all students in grades 5, 8, and once in high school unless the student's IEP indicates administration of the CAA. The District will not administer the optional standards based test in Spanish (STS) for reading/language arts. A parent or guardian may make a written request to excuse his or her child from any or all parts of the assessments.

**CALIFORNIA HEALTHY YOUTH ACT** (EC 51934, 51938, 48980) Students enrolled in the District may receive instruction in personal health and public safety, which may include accident prevention, first aid, fire prevention, conservation of resources, and health education including comprehensive sexual health education and HIV prevention. The instruction shall include, among other things, information about sexual harassment, sexual abuse, and human trafficking and the risks, prevention and how to safely seek assistance. The District plans to provide comprehensive sexual health education and/or HIV prevention education during the 2019-2020 school year. Students will be taught by District personnel or an outside agency. If the District decides to arrange for an outside consultant to provide comprehensive sexual health education and/or HIV prevention education, the District will provide notice to parents, no fewer than 14 days before the date of the instruction and the name of the organization or affiliation of each guest speaker.

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

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

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

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

While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to pupils whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey. More information can be found online at [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

**CALIFORNIA HIGH SCHOOL PROFICIENCY EXAM:** (5 CCR 11523) The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>.

**COLLEGE ADMISSION REQUIREMENTS AND TECHNICAL EDUCATION:** (EC 51229 , 51225.3, 48980) For students who wish to continue their education after high school, the State of California offers community colleges, California State Universities (CSU), and Universities of California (UC).

Information pertaining to college admission requirements, information about University of California and California State University websites, information about technical information and the availability of school counselors to help students in choosing appropriate high school courses can be found online at [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

The District does allow designated career technical education courses to satisfy the visual/performing arts or foreign language graduation requirement, more information about high school graduation requirements and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California, as well as a complete list of career technical education courses offered by the District that satisfy the subject matter requirements for admission to the California State University and the University of California can be found online at [www.ucop.edu/agguide/](http://www.ucop.edu/agguide/).

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

www.cccco.edu – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

www.assist.org – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

www.csumentor.edu – This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

www.universityofcalifornia.edu – This massive website offers information regarding admissions, online application, and links to all UC campuses.

www.californiacolleges.edu – The official source for College & Career Planning in California

**COURSE SELECTION AND CAREER COUNSELING:** (EC 221.5(d), 48980) Commencing in Grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

**ENGLISH LANGUAGE PROFICIENCY ASSESSMENT:** California has transitioned from the California English Language Development Test (CELDT) to the English Language Proficiency Assessments for California (ELPAC). 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.

**EXCUSE FROM HEALTH, FAMILY LIFE AND SEX EDUCATION:** (EC 51240 & 51550) On written request of the parent or guardian of any pupil, such pupil shall be excused from any part of instruction in health, family life education and sex education, where such instruction conflicts with the religious training and beliefs or moral convictions of the parents or guardian. Notification of at least 15 days prior to the commencement of instruction in sex education and venereal disease instruction is required.

**GRADE REDUCTION/LOSS OF CREDIT:** (EC 48205, 48980 (j)) No pupil shall have his/her grade reduced/loss of credit for any absence or absences excused pursuant to Section 48205, for missed assignments/tests that can reasonably be provided/completed.

**INVESTING FOR FUTURE EDUCATION:** (EC 48980(d)) The District believes it is important to invest for future college or university education for children and it encourages parents to consider appropriate investment options, including, but not limited to, United States savings bonds.

**MATHEMATICS PLACEMENT POLICY:** (EC 51224.7) The District utilizes a fair, objective and transparent mathematics placement policy that takes multiple objective academic measures of pupil performance into consideration, annually examines aggregate pupil placement data to ensure pupil qualification for progressing through mathematics courses and offers clear and timely recourse for any pupil or parent or guardian who questions the placement. More information about the District's mathematics placement policy is available on [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

**NOTICE OF FREE AND REDUCED LUNCHES:** (EC 49510-49520, 48980, 49564-49564.5; 42 USC 1758; 7 CFR 245.5) Free or reduced-priced meals are available for pupils in receipt of public assistance. Meal program details are provided at the pupil's school site. All parents and guardians receive a letter with the application form upon enrollment. To apply for free or reduced-price meals, households must fill out the application and return it to the school or apply online at [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

**NOTIFICATION OF MINIMUM AND/OR PUPIL FREE STAFF DEVELOPMENT DAYS:** (EC 48980) Parents shall be advised no later than one month prior to any scheduled minimum days or pupil-free staff development days.

**PERSONAL BELIEFS:** (EC 51513; 20 USC 1232(h)) No text, questionnaire, survey or examination containing any questions about the pupil's or their parents personal beliefs or practices in sex, family life, morality or religion, shall be administered to any pupil in the schools of this district, unless the parent or guardian is notified in writing that such test, survey, questionnaire or examination is to be administered and the parent or guardian of the pupil gives written permission for the pupil to take such test, questionnaire, survey and examination. Notification will include specific or approximate dates of when any survey containing sensitive, personal information is to be administered and provide an opportunity for parents to opt pupils out of participating in the survey. Upon request, parents or guardians will be given the opportunity to inspect any third-party survey.

**PHYSICAL FITNESS TEST:** The physical fitness test 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.

**PROMOTION/RETENTION OF PUPILS; PARENT NOTIFICATION:** (E. C. 48070.5, B. P. 5123) Policies regarding the District's promotion and retention of students may be found at [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

**PUPILS WITH MORAL OBJECTION TO DISSECTION OR OTHERWISE HARMING OR DESTROYING ANIMALS, NOTICE:**

**ALTERNATIVE EDUCATIONAL PROJECT:** (EC 32255-32255.6): Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals, based on moral objects, and complete an alternative educational project acceptable to the teacher. In order to refrain from participation, a parent or guardian must submit a written note of the objections to participating in an educational project involving the harmful or destructive use of animals.

1. If the pupil chooses to refrain from participation in an education project involving the harmful or destructive use of animals, and if the teacher believes that an adequate alternative education project is possible, then the teacher may work with the pupil to develop and agree upon an alternative education project for the purpose of providing the pupil an alternative avenue for obtaining the knowledge, information, or experience required by the course of study in question.
2. The alternative education project shall require a comparable time and effort investment by the pupil. It shall not, as a means of penalizing the pupil, be more arduous than the original education project.
3. The pupil shall not be discriminated against based upon his or her decision to exercise his or her rights pursuant to this chapter.
4. Pupils choosing an alternative educational project shall pass all examinations of the respective course of study in order to receive credit for that course of study. However, if tests require the harmful or destructive use of animals, a pupil may, similarly, seek alternative tests pursuant to this chapter.
5. A pupil's objection to participating in an educational project pursuant to this section shall be substantiated by a note from his or her parents or guardian.

**RETROACTIVE GRANT OF HIGH SCHOOL DIPLOMA; DEPARTED AND DEPORTED STUDENTS:** (EC 51430) The District may award a diploma to any student deported outside the United States if, at the time of his or her departure, was enrolled in the 12th grade and in good standing, but was not able to receive a diploma because his or her education was interrupted by the involuntary departure. In reviewing whether a diploma should be granted, the District will consider any coursework that may have been completed outside the United States or that may have been completed through online or virtual courses.

**SCHOOL ACCOUNTABILITY REPORT CARD:** (EC 35256 and 35258) The School Accountability Report Card provides parents and other interested members of the community a variety of information about the school, its resources, its successes, and the areas where it needs improvement. The School Accountability Report Card for each District operated school is available on the District website at [www.murrieta.k12.ca.us/domain/45](http://www.murrieta.k12.ca.us/domain/45). A hard copy will also be provided upon request to any parent or guardian. Parents may obtain this information by logging on to [www.ctc.ca.gov](http://www.ctc.ca.gov) and looking up the child's teacher's credentials by entering the first and last name. The law also requires that parents be notified when a teacher who is not *highly qualified* is hired and teaches the child *four (4) consecutive weeks or more*.

**SCHOOL ACCREDITATION:** (EC 35178.4) The District will notify each parent or guardian of a pupil in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school districts or school's Internet website, or by any combination of these methods.

**Teacher Qualification:** (20 USC 6311; 34 CFR. 200.61) Permits parents to request information regarding the professional qualifications of the student's classroom teachers, including the following:

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

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

## **HEALTH**

**ADDITIONAL INFORMATION DISASTER MEDICATIONS:** Pupils who take daily medication for a life-threatening condition should have enough medication at school for three to seven days in case of a disaster. Medication forms are available in school health offices. The medication authorization form must be filled out by a physician, signed by the parent/guardian and returned to the school nurse along with the supply of medication. The medication and forms must be updated annually.

**ADMINISTRATION OF SEIZURE MEDICATION:** (EC 49414.7) Whenever possible, an emergency anti-seizure medication shall be administered by a school nurse or licensed vocational nurse who has been trained in the administration. If a pupil with epilepsy has been prescribed an emergency anti-seizure medication by his or her health care provider, the pupil's parent or guardian, in conjunction with a written request from a health care provider, may request the pupil's school to have one or more of its employees receive training in the administration of an emergency anti-seizure medication in the event that the pupil suffers a seizure when a nurse is not available.

**ANAPHYLAXIS TREATMENT:** (EC 49414, 49423) Trained personnel of the District may utilize District provided epinephrine auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction. Use of an epinephrine auto-injector will be followed by calling EMS for follow up treatment and care.

**CONCUSSION AND HEAD INJURIES:** (EC 49475) A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. The District will immediately remove an athlete who is suspected of sustaining a concussion or head injury during that activity from the school-sponsored athletic activity for the remainder of the day. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

**CONFIDENTIAL MEDICAL SERVICES:** (EC 46010.1) School authorities may excuse any pupil in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. The District may not require a pupil to obtain written parental consent prior to releasing that pupil from school to receive confidential medical services.

**CONTINUING MEDICATION REGIMENT FOR NON-EPISODIC CONDITION:** (EC 49480) The parent or legal guardian of any public school pupil on a continuing medication regimen for a non-episodic condition shall inform the school of the medicine, the current dosage and the name of the supervising physician. The school nurse may communicate with the physician and counsel with the school personnel regarding the possible effects of the medication on the child's intellectual, physical and social behavior and behavioral signs and symptoms and adverse effects, omission or overdose.

**ENTRANCE HEALTH SCREENING:** (Health and Safety Code 124085, 124100, and 124105) State law requires that the parent or legal guardian of each pupil provide the school documentary proof that the pupil has received a health screening examination by a doctor or the parents must sign a waiver. The screening should take place before (within the 6 months prior) or during the kindergarten year. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening for low income families may be available through the local health department.

**HEALTH INSURANCE COVERAGE FOR ATHLETES:** (EC 32221.5) The District is required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This requirement can be met by the District offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling Healthy Families at 1-866-294-4347

**IMMUNIZATION AND COMMUNICABLE DISEASE:** (EC 48216, 49403, 48980) School districts are required to exclude pupils who have not been properly immunized pursuant to Health and Safety Code 120325 and 120335. Students in a home-based private school and students enrolled in an independent study program who do not receive classroom-based instruction may still attend school without specified immunizations.

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

Effective January 1, 2016, the California Legislature eliminated the exemption from specified immunization requirements based upon personal beliefs in Senate Bill 277. A pupil who, prior to January 1, 2016, submitted a letter or affidavit on file at a private or public elementary or secondary school, child day care center, day nursery, nursery school, family day care home, or development center stating beliefs opposed to immunization shall be allowed enrollment to any private or public elementary or secondary school, child day care center, day nursery, nursery school, family day care home, or development center within the state until the pupil enrolls in the next grade span. Grade span means (1) from birth to preschool; (2) Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten; and (3) grades 7 to 12 inclusive.

**INFORMATION SHEETS REGARDING TYPE 2 DIABETES:** (EC 49452.7) The District shall provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade pupils. The information sheet may be provided to the parent or guardian of incoming 7th graders with the information provided pursuant to Section 48980. The information sheet shall include, but shall not be limited to, all of the following:

- (1) A description of type 2 diabetes.
- (2) A description of the risk factors and warning signs associated with type 2 diabetes.
- (3) A recommendation that pupils displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
- (4) A description of treatments and prevention methods of type 2 diabetes.
- (5) A description of the different types of diabetes screening tests available.

**MEDICAL AND HOSPITAL SERVICES FOR PUPILS:** (EC 49480, 49471, 49472) Medical costs incurred due to pupil accidents are the responsibility of the parent or guardian. The District does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance. Parents may purchase student accident insurance which is available for students while they are at school, school-sponsored activities or while they are being transported to or from school. Application forms and additional information are available in school offices.

**MEDICAL RECORD SHARING:** (HSC 120440) Medical information may be shared with local health departments and the State Department of Public Health. Any information shared shall be treated as confidential medical information. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; and the student or parent or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both.

**MENTAL HEALTH SERVICES:** (EC 49428) In order to initiate access to available pupil mental health services on campus or in the community, you may contact the Student Support Office at 951-696-1600 ext. 1219. The District will notify parents how to initiate access these services at least twice per school year; once through this Annual Notification and a second time by one of the following means: (1) by letter sent via U.S. Mail or electronic mail; or (2) by posting the information on the District's website. Students will also be notified twice during the school year on how to initiate access to available mental health services.

**OPIOID USE INFORMATION:** (EC 49476) School authorities must provide facts regarding the risks and side effects of opioid use each school year to athletes. Parents and student athletes must sign acknowledgment of receipt of the document annually.

**ORAL HEALTH ASSESSMENT:** (EC 49452.8) Parents of pupils must present proof of having received an oral health assessment by a licensed dentist or other licensed or registered dental health professional or provide written notice as to why an oral health assessment by a licensed dentist or other registered dental health professional cannot be completed. Dental assessments must be completed in the 12 months prior to enrollment or by May 31st of the pupil's first school year. Additional information regarding the importance of oral health is included within this Annual Notification and may also be found online at [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

**PARENT'S REFUSAL TO CONSENT:** (EC 49451, 48980, 20 USC 1232h) A parent or guardian may, by written statement filed annually with the principal of the school in which the child is enrolled refuse to consent to a physical examination of his/her child. Thereupon the child shall be exempt from any physical examination, but whenever there is a 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 the school authorities are satisfied that any contagious or infectious disease no longer exists. Physical examinations that schools are

required to conduct include sight and hearing testing under EC 49452 and scoliosis screening under EC 49452.5. Education Code 49455 requires a pupil's vision to be appraised by the school nurse or other authorized person during kindergarten or upon first enrollment or entry in a California school district of a pupil at an elementary school and in grades 2, 5, and 8 unless a pupil's first entry or enrollment occurs in grade 4 or 7.

**PREGNANT AND PARENTING PUPILS:** (EC 221.51, 222.5, 46015, 48205) The District will treat both pregnant teen mothers and teen fathers with the same accommodations, regardless of sex. Teen parents may not be excluded from any class or extracurricular activities, solely on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or post-partum recovery. Pregnant or parenting pupils may not be required to participate in pregnant minor programs or alternative programs. A pregnant or parenting teen is entitled to eight weeks of parental leave, during which the District may not require work completion. Additional leave time may be taken if it is deemed to be medically necessary as prescribed by physician or nurse practitioner. Pregnant and parenting teens are not required to take all or part of the leave to which they are entitled. Upon return, the parenting teens are entitled to return to school courses in which they were enrolled before taking leave; alternatively, they may choose to enroll in an alternative education program, but if so, shall be given programs, activities and courses equal to those he or she would have been in if participating in the regular education program. If needed to graduate, a parenting teen may enroll for a fifth year of instruction. An illness for a sick child does not require a doctor's note for the custodial parenting teens. During parental leave, any absences shall be excused until the pupil is able to return to the regular school program or alternative education program. A pupil shall not incur an academic penalty as a result of his or her use of these accommodations. Complaints of noncompliance with these requirements shall be filed and processed in accordance with the District's Uniform Complaint Procedures. The District will notify parents, guardians, and pregnant or parenting students of their rights and options annually.

**PRESCRIBED MEDICATIONS:** (EC 49423, 48980, 49480) The parent or legal guardian of any pupil taking medication on a regular basis must inform the school site of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the school nurse or other school representative may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil. Any pupil who is required to take prescribed or over the counter medications during the school day may be assisted by the school nurse or other designated school personnel if the school receives:

1. A written statement from such physician detailing the method, amount and time schedules by which such medication is to be taken and
2. A written statement from the parent or guardian of the pupil indicating the desire that the district assist the pupil in the matters set forth in the physician's statement.
3. Any pupil may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken and written parental consent authorizing the self-administration of medication, providing a release for the school nurse or other personnel to consult with the child's health care provider as questions arise, and releasing the district and personnel from civil liability if the child suffers any adverse reaction as a result of the self-administration of medication.
4. Inappropriate use of medications under self-management may result in withdrawal of the privilege and possible disciplinary action.

**SCOLIOSIS SCREENING:** (EC 49452.5) The District shall provide for the screening of every female pupil in grade 7 and every male pupil in grade 8 for the condition known as scoliosis. The screening shall be in accordance with methods established by the State Department of Education and supervised by qualified supervisors of health. The school district shall provide for the notification of the parent or guardian of any pupil suspected of having scoliosis. Currently, state mandated scoliosis screening has been suspended; however parents may elect to have their child screened by notifying the school health office in writing.

**SIGHT AND HEARING TESTING:** (EC 49452) For each pupil enrolled in the District, the District is required to provide for the testing of sight and hearing by duly qualified supervisors of health of each pupil enrolled. Students will be exempt if parent or guardian notifies the school principal in writing that the parent or guardian will not consent to a physical examination of this child.

## **INFORMATION TECHNOLOGY**

**ACCEPTABLE USE OF TECHNOLOGY:** One of the adopted goals of the District is to advance the use of technology to enhance student learning while maintaining a safe learning environment for its students. District students are encouraged not to enter any personally identifiable information on Internet websites. Access to District technology is a privilege, not a right, and students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. All District students and their parents/guardians shall sign the District's Acceptable Use Agreement prior to using District technological resources. A copy of this form is included within these notifications. The District shall make a diligent effort to filter inappropriate or harmful matter

accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability. Students have no right to privacy in their use of District technology, and content may be accessed by the District to support discipline.

**ELECTRONIC LISTENING OR RECORDING DEVICE:** (EC 51512 and PC 632) It is unlawful to intentionally eavesdrop or record the confidential communication between two or more parties without the consent of all parties to the confidential communication. The eavesdropping or recording of a confidential communication includes by means of any electronic amplifying or recording device whether the communication is carried on among the parties in the presence of one another or by means of telegraph, telephone, or other device, except a radio. Such act is punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or imprisonment in the county jail not exceeding one year, or in the state prison, or by both fine and imprisonment. Additionally, pursuant to EC 51512, the use by any person, including a student, of any electronic listening or recording device in any classroom without prior consent of the teacher and the principal is prohibited. Any person, other than the student, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation is subject to the District's disciplinary procedures.

**INTERNET SAFETY:** Use of the Internet poses risks, and those risks can be potentially dangerous for minors. Social networking and other interactive websites may be used by child predators and cyber bullies to locate and attack victims, and others use the Internet to solicit personal information for their financial gain. Some companies also gather information users upload and/or store on e-mail and other user accounts for purposes of marketing and other profit-making activities, a practice known as "data-mining". The District makes every effort to provide a safe learning environment for its students, including by way of blocking social networking sites and other potentially harmful sites on the District's computer system. The District encourages you to talk with your child about appropriate uses and the potential dangers of the Internet and inquire into whether they have a Social Media account, and whether they have or are otherwise releasing information about themselves on the Internet. If your child has any online accounts or profiles, you may want to review it to ensure that no personal and identifiable information has been posted or otherwise uploaded. You should also be familiar with any terms and conditions agreed to by your child when establishing profiles or user accounts through the Internet; these can include permission to search for, gather, and store data about them. We also encourage you to establish rules and guidelines to ensure the safety of your child while on the Internet, and ensure your child does not publish personal and confidential information about themselves without your knowledge and permission. Some web sites offer parental or family guidance for Internet safety; for example, [SafeKids.com](http://www.safekids.com), located online at <http://www.safekids.com>, and Web Wise Kids, located online at <http://www.webwisekids.org>, by telephone at 866-WEB-WISE, or by e-mail at [inforwebwisekids2.org](mailto:inforwebwisekids2.org) While the District will continue to provide Internet security within our schools, it is important that parents also monitor Internet use at home.

The District may require students to use online educational programs for educational purposes, such as Scholastic, PowerSchool Learning (Haiku Learning), APEX and Renaissance Learning. In order for students to access these programs, limited student information must be shared with the program providers, including the student's name, school name and school identification number. The District abides by FERPA and exercises caution in selecting the online educational programs it will utilize and in protecting the student information that is shared with the service providers. In contracting for online educational services, the District requires the service providers to agree to protect student information in accordance with state and federal laws. Additionally, the District ensures only the necessary student information is shared with the service providers and safeguards against any impermissible use of student information such as prohibiting its re-disclosure to unauthorized third parties. The District does not contract with online educational service providers that will not agree to be bound by relevant state and federal laws pertaining to the dissemination of student information. Note, however, some of these providers require e-mail or other online user names and accounts in order to access them. These are often not within the District's control and should be set up with your knowledge.

## **PARENT RIGHTS**

**CIVIL LAW REMEDIES:** A complainant may pursue available civil law remedies outside of the District's complaint procedures as provided by law.

**COMPLAINT PROCEDURES:** If a complaint cannot be resolved at the informal level, then a written formal complaint may be made to the Superintendent or Designee. The Superintendent or Designee shall determine whether a complaint should be considered a complaint against the district and/or the individual, and whether it should be resolved by the process for Complaints Concerning District Employees (1312.1) or the Uniform Complaint Procedure (1312.3), or other complaint procedure, or any combination thereof.

**CUSTODY ISSUES:** Each parent has equal rights to the custody and control of the child/children, including education rights, unless a court order specifically indicates otherwise. In such a case, the school must have a copy of the court order on file. The District cannot limit a parent's rights or refuse a parent or guardian access to his/her child and/or school records absent a court order, and all custody disputes must be handled by the courts. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted, and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters or disputes. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

**GENERAL COMPLAINTS CONCERNING THE SCHOOLS:** The Governing Board believes that the quality of the educational program can improve when the District listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process. The Board encourages complainants to resolve problems early and informally whenever possible. If a problem remains unsolved, the individual should submit a formal complaint as early as possible in accordance with appropriate district procedures. District procedures are readily accessible to the public at [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

**PARENT ENGAGEMENT / SCHOOL ACCOUNTABILITY:** (EC 11500-11503) To participate in the District's offerings of parent education and to provide parental input to the local training programs for parents, you may contact the following District representative for more information: the District's Student Support Office at 951-696-1600 for more information.

**PUPIL FEES:** (EC 49010) The District maintains a policy concerning the provision of a free education to pupils and for filing a complaint of noncompliance pursuant to the Uniform Complaint Procedures with the principal of the school alleged to be in noncompliance.

**RIGHTS OF PARENTS OR GUARDIANS TO INFORMATION:** (EC 51101) Parents/guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

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

**UNIFORM COMPLAINT PROCEDURE:** (EC 49013, 5 CCR 4622) The Murrieta Valley Unified School District is primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

**Programs and Activities subject to the UCP:**

- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- American Indian Education Centers and Early Childhood Education Program Assessments
- Bilingual Education
- California Peer Assistance and Review Programs for Teachers
- Career Technical and Technical Education; Career Technical; Technical Training (State)
- Career Technical Education (Federal)
- Child Care and Development
- Child Nutrition
- Compensatory Education
- Consolidated Categorical Aid
- Course Periods without Educational Content
- Economic Impact Aid
- Education Of Pupils In Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled In A School District, and Pupils Of Military Families
- Every Student Succeeds Act / No Child Left Behind (Titles I–VII)
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Safety Plans
- Special Education
- State Preschool
- Tobacco-Use Prevention Education

**Pupil Fees**

- A pupil fee includes, but is not limited to, all of the following:
- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.
- A pupil fees complaint may be filed with the principal of a school or our superintendent or his or her designee. A pupil fees and/or an LCAP complaint may be filed anonymously, however, the complainant must provide evidence or information leading to evidence to support the complaint.
- A pupil enrolled in a school in our district shall not be required to pay a pupil fee for participation in an educational activity.
- A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

**Additional Information**

We shall post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, former juvenile court pupils now enrolled in a school district, and pupils in military families as specified in *Education Code* Sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

**Contact Information**

The staff member, position, or unit responsible to receive UCP complaints in our agency is:

Howard Dimler

Executive Director, Student Support Services or Designee

hdimler@murrieta.k12.ca.us  
41870 McAlby Court  
Murrieta, CA 92562  
951.696.1600

Complaints will be investigated and a written report with a Decision will be sent to the complainant within sixty (60) days from the receipt of the complaint. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with our UCP policies and procedures.

The complainant has a right to appeal our Decision of complaints regarding specific programs and activities subject to the UCP, pupil fees and the LCAP to CDE by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

We advise any complainant of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of our Uniform Complaint Procedures process shall be available free of charge.

**WILLIAMS COMPLAINT POLICY:** (EC 35186) The District has adopted a uniform complaint process to help identify and resolve deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, teacher vacancy or mis-assignment, and intensive instruction and services provided to pupils who have not passed one or both parts of the high school exit examination after 12<sup>th</sup> grade. Notice of the complaint process and the location at which to obtain a complaint form is located at [www.murrieta.k12.ca.us](http://www.murrieta.k12.ca.us).

Per the Williams v. State of California, all students are entitled to textbooks in the basic core subjects for homework. Any student who does not return his/her textbooks, thereby denying other students' access to these materials for homework, will not be issued replacement texts, unless the lost texts are returned or paid for. Arrangements can be made for other restitution, if the student is unable to pay for lost or damaged textbooks.

## **PUPIL DISCIPLINE**

**ALTERNATIVE AND OTHER MEANS OF CORRECTION:** (EC 48900, 48900.5) The District employs means of correction other than suspension and expulsion, and it may document other means of correction short of suspension and expulsion and place the documentation in the pupil's record. Other means of correction may include: a conference between school personnel, the pupil's parent or guardian and the pupil; referrals to the school counselor or psychologist; study teams, guidance teams or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-educational assessment; and after-school programs that address specific behavioral issues. A pupil may be suspended, for any of the reasons enumerated in EC 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that pupil's presence causes a danger to persons.

**CONDUCT OF PUPIL:** (EC 44807) All students participating in District programs or activities will comply with the District's policies, rules and regulations, pursue their studies and obey the valid authority of District staff. Any student who feels another participant is disrupting the student's learning environment is strongly encouraged to report that misconduct to a District staff member. The District staff member will, in turn, report to the designated District staff member in charge of handling student complaints. District staff expects all students enrolled in District programs or activities to conduct themselves in a manner that enriches the educational environment and does not disrupt the learning process. The District believes all students enrolled in District programs or activities should experience a positive learning environment. All students participating in District programs or activities are expected to cooperate by respecting the rights of other participants, which includes the right to a learning environment free from disruptions. Student conduct includes conduct on school grounds, going to and from school and during recess and lunch periods.

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

**CORPORAL PUNISHMENT:** (EC 49000, 49001) No person employed or engaged in a public school shall inflict or cause to be inflicted corporal punishment upon a pupil. "Corporal punishment" is defined as the willful infliction of, or willfully causing the infliction of physical pain on a pupil. Corporal punishment does not include an amount of force that is reasonable and necessary for a person employed by or engaged in public school to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the pupil. Corporal punishment does not include physical pain or discomfort caused by athletic competition or other such recreational activity, voluntarily engaged in by the pupil.

**DANGEROUS OBJECTS--LASER POINTER AND IMITATION FIRE ARMS: (PC 417.27, 12550, 12556)** It is a crime for any student to possess a laser pointer on any elementary or secondary school premise, unless the possession is for a valid instructional or other

school-related purpose. It is also a criminal offense to openly display or expose any imitation firearm in a public place, including a public school.

**DISCIPLINE OF STUDENTS WITH DISABILITIES:** (EC 48915.5; 34 CFR 300.530 — 300.532) Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, parent, and relevant members of the child's IEP Team must review all relevant information to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to the student's disability, or
2. If the conduct in question was the direct result of the LEA's failure to implement the IEP.

If the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities except that the child with a disability must continue to receive educational services enabling them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the child's IEP and to receive, as appropriate, a functional behavioral assessment.

If the LEA, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team must—

(1) Either—

- (i) Conduct a functional behavioral assessment, unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
- (ii) If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and

(2) Except in limited circumstances, return the child to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

**ELECTRONIC SIGNALING DEVICE:** (EC 48901.5) The District and its school sites regulate the right of pupils to possess or use electronic signaling devices, including cell phones and pagers, during the school day or at school functions. District policies and procedures about this are available on the District's website.

**EXPULSION HEARINGS:** (EC 48918) The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within thirty (30) school days after the date the principal, superintendent or designee determines that the pupil has committed any of the acts enumeration under Section 48900, unless the pupil requests in writing that the hearing be postponed. Written notice of the hearing shall be forwarded to the student and student's parents/guardian at least ten (10) calendar days before the date of the hearing. **DUE PROCESS RIGHTS:** When recommended for expulsion, a student has the right to appear in person, be represented by counsel, to inspect and obtain copies of all documents to be used at the hearing, to confront and question all witnesses testifying, to question evidence presented and present oral and documentary evidence on the pupil's behalf.

**EXPULSION READMISSION PROCEDURES:** (EC 48916) An expulsion order shall remain in effect until the Board orders the readmission of the student.

**IN-SCHOOL SUSPENSION:** (EC 48911.1 (d)) A pupil suspended from a school for any of the reasons enumerated in Sections 48900 and 48900.2 may be assigned, by the principal or the principal's designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils, or staff or if an action to expel the pupil has not been initiated.

**MANDATORY RECOMMENDATION FOR EXPULSION:** (EC 48915(c)) A mandatory recommendation for expulsion will be made for:

1. Possession/selling/furnishing of a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault or committing a sexual battery.
5. Possession of an explosive.

**PERSONAL APPEARANCE OF WITNESSES:** (EC 48918) At the request of superintendent or pupil, the Board may issue a subpoena for the personal appearance of a key witness at the hearing.

**PROVIDING EDUCATION FOR EXPELLED STUDENTS:** (EC 48916.1, 48926) The District offers educational programs at the David L. Long Regional Learning Center in Murrieta, among other options.

**REQUIRED PARENTAL ATTENDANCE:** (E C 48900. 1) Whenever a student is suspended from a class by a teacher for violation of section (i) or (k) under 48900 (profanity, disruption, clef once), the teacher from whose class the student was suspended may require the student's parents/guardian to attend a portion of a school day in that class. After the visit, the parents or guardian shall meet with the principal or principal's designee.

**RULES AND REGULATIONS REGARDING DISCIPLINE:** (EC 35291, 48900 and 48900.6) The Governing Board of the District shall prescribe rules that are consistent with the law. Each principal shall take steps to ensure that all rules pertaining to the discipline of pupils is communicated to the students at the beginning of each school year and to transfer students when enrolled. Education Code 35291.5 requires school site discipline rules to be established by school committees with specific membership and filed with the governing board.

**SUSPENSION BY TEACHER:** (EC 48910, 48900.1) A teacher may suspend any student from the teacher's class for any of the acts listed under Section 48900 for the day of the suspension and the day following. A teacher may require a parent or guardian of a pupil who has been suspended from class for committing an obscene act, engaging in habitual profanity or vulgarity or disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, to attend a portion of a school day in the classroom of his or her child or ward.

**SUSPENSION OR EXPULSION OF PUPILS:** (EC 48900) A teacher may suspend a pupil from class for the day and the day following, or a principal or his/her designee may suspend a pupil from school for not more than five (5) consecutive days for a "good cause." A teacher shall ask the parent or guardian of the pupil to attend a conference, and if the teacher, or the parent or guardian request, a school administrator shall attend such conference. The principal who suspends a pupil SHALL make a reasonable effort to contact the pupil's parent or guardian by telephone and notify in writing the parent or guardian of such suspension. Suspension shall be preceded by an informal conference conducted by the principal between the pupil and, whenever practicable, the teacher, supervisor, or school employee who referred the pupil to the principal, unless the principal or designee determines that an emergency situation exists. If a pupil is suspended without a conference prior to suspension, both the parent and the pupil shall be notified of the pupil's right to a conference and the pupil's right to return to school for the purpose of the conference. At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. Incidents for Suspension under Education Code 48900:

- (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (3) Possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil has obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or designee of the principal.
- (4) Unlawfully, possessed, used, sold or otherwise furnished or been under the influence of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, alcoholic beverage or intoxicant of any kind.
- (5) Unlawfully offered or arranged or negotiated to sell any controlled substance, listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, alcoholic beverage or intoxicant of any kind and either sold, delivered or otherwise furnished to any person another liquid, substance or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.
- (6) Committed or attempted to commit robbery or extortion.
- (7) Caused or attempted to cause damage to school property or private property.
- (8) Stole or attempted to steal school property or private property.
- (9) Possessed or used tobacco, or products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- (10) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (11) Unlawful possession of or unlawfully offered, arranged or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (12) Disrupted school activities or willfully defied the valid authority of supervisors, teachers, administrators, schools' officials, or other school personnel engaged in the performance of their duties. Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (13) Knowingly received stolen school property or private property.
- (14) Possessed an imitation firearm. As used in this section "imitation firearm" means a replica of a firearm that is so substantively similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (15) Committed or attempted to commit a sexual assault or sexual battery (as defined in Section 261, 266c, 286, 288, 288a, 289, of the Penal Code or committed a sexual battery as defined in section 243.4 of the Penal Code),
- (16) Harassed, threatened or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (17) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (18) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" is any method of initiation or pre-initiation into a pupil organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

- (19) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
- a. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - i. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property
    - ii. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
    - iii. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
    - iv. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - b. "Electronic act" means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager, of a communication, including but not limited to, any of the following:
    - i. A message, text, sound, video, or image.
    - ii. A post on a social network Internet Web site, including but not limited to: a) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (a); b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (a). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purposes of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (a). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
    - iii. An act of cyber sexual bullying. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in (19)(a)(i-iv) above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.  
An electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - c. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
- (20) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
- a. While on school grounds.
  - b. While going to or coming from school.
  - c. During the lunch period whether on or off the campus.
  - d. During, or while going to or coming from, a school sponsored activity.
  - e. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (21) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- (22) For a pupil subject to discipline under this a section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehaviors as specified in Section 48900.5.
- (23) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
- (24) A student can also be suspended or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed one of the following offenses:
- a. 48900.2 Committed sexual harassment as defined in Section 212.5. (Does not apply to K-3 students.)
  - b. 48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in subdivision (e) of Section 233. (Does not apply to K-3 students.)
  - c. 48900.4 Intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile environment. (Does not apply to K-3 students.)

- d. 48900.7 Made terroristic threats against school officials, school property or both.

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

## **PUPIL RECORDS**

**ACCESS BY MILITARY RECRUITERS:** (20 USC 7908) The District provides military recruiters access to secondary school students' names, addresses and telephone listings upon request by the military recruiters. A pupil or parent may request that this information not be released to military recruiters without prior written parental consent.

**DIRECTORY INFORMATION RELEASE: (EC 49063, 49073; 20 USC 1232g 34 CFR 99.37)** Directory information about your child may be published or disclosed to third parties by the District without your prior consent, unless you submit a written notice to the school opting out of such disclosures. If you do not wish to have directory information about your child published or released, you must indicate this on the **DIRECTORY INFORMATION AND MEDIA RELEASE** form and return it to the school office within the next 30 days. When a written request from the parent of a student age 17 or younger is received by the school office denying access to directory information, the District will withhold directory information about the student. If the student is 18 years or older or enrolled in an institution of post-secondary instruction, only the pupil's written request to deny access to directory information will be honored. However, directory information related to a pupil identified as a homeless or unaccompanied youth will not be released without the express written consent for its release by the eligible pupil or his/her parent or guardian.

Directory information includes one or more of the following items: student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. The District may provide directory information to the following individuals, officials, agencies, and non-profit organizations, upon request: certain school publications; outside organizations, including but not limited to, companies that manufacture class rings or publish yearbooks, post-secondary educational institutions, county and state educational agencies, federal programs requiring data reporting, military recruiters, third party providers of online educational tools used for educational purposes and news media. State law prohibits the release of directory information to private profit-making entities, with the exception of employers, prospective employers, and representatives of the news media (e.g. newspapers, magazines, and radio and television stations).

**PUPIL RECORDS:** (E C 49063, 49068, 49069, 49073, 34 CFR 99.7; 20 USC 1232(g)) Maintaining educational records pertaining to each student is a necessary function of the school district. A file is maintained for each student who has enrolled in this District and it contains records regarding the history of a pupil's development and educational progress. The District protects the privacy of such records. These files are located at the pupil's school and at District administrative offices. All active pupil records are under the supervision of the school principal, all inactive records are under the supervision of the District Custodian of Records.

The release of all student information, including educational records, is done in accordance with safeguards and procedures established by the California Education Code (EC 49060 et seq.) and the Family Educational Rights and Privacy Act (FERPA). FERPA affords parents, students over 18 years of age, pupils 14 years of age and older that are identified as both homeless and an unaccompanied youth ("eligible students"), and individuals who have completed and signed a Caregiver's Authorization Affidavit with certain rights with respect to the student's pupil records. They are:

1. The right to inspect and review the student's education records within five (5) business days of receipt of request. 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 principal or custodian of records will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Certificated personnel can be made available to interpret records, if requested. The District reserves the right to charge up to 10 cents per page if copies are requested of these records. If the cost of obtaining student records prevents the parent from exercising the right to receive such copy or copies, the copy or copies shall be reproduced at no cost. (EC 56504). Establishment of financial hardship shall be made utilizing the federal guidelines for free and reduced lunch. Parents who are claiming financial hardship will be required to submit documentation, which will establish that they have met such guidelines.
2. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. Any challenge to school records must be submitted in writing to the school principal. A parent challenging school records must clearly identify the part of the record they want changed, and show it is 1) inaccurate, 2) an unsubstantiated 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 student. If you wish to challenge the content of these records, procedures for doing so may be obtained from the school principal or the District Custodian of Records, 41870 McAlby Court, Murrieta, CA 92562, (951) 696-1600. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student upon notification of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA or state law authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate education interests. A school official is a person employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company acting on the District's behalf (such as an attorney, auditor, medical consultant or therapist); a person or company performing an institutional function or service under a contract with the District, including technology and software support services, or services or functions for which the District would otherwise use its own employee; or a parent or student serving on an official committee, such as attendance, disciplinary or grievance committee, or assisting another school official performing his or her tasks. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, the District shall disclose education records without parental consent. There are other exceptions which permit the disclosure of personally identifiable information without parental consent, including the release of directory information as specified herein.
4. The right to file a complaint with U. S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U. S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-4605.
5. When a student moves to a new District, the District will forward the student's records upon the request of the new school district within ten (10) days.

"Education records" do not include:

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

A foster family agency with jurisdiction over a currently enrolled or former pupil, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver who has direct responsibility for the care of a pupil may access the current or most recent records of grades, transcripts, attendance, discipline, online communications on school platforms, any IEPs or Section 504 plans maintained by the responsible LEA of that pupil. The above-referenced individuals may access the pupil records listed above solely for the purpose of monitoring the pupil's educational progress, updating and maintaining the pupil's education records as required by Welfare and Institutions Code 16010, and to ensure the pupil has access to educational services, supports and activities, including enrolling the pupil in school, assisting the pupil with homework, class assignments, and college and scholarship applications, and enrolling the pupil in extracurricular activities, tutoring and other afterschool or summer enrichment programs.

## **SCHOOL SAFETY**

**ASBESTOS MANAGEMENT PLAN:** (40 CFR 763.84, 763.93) Each school site in the District has an AHERA Report (Asbestos Hazard Emergency Response Act) which identifies where asbestos is located at the school and the conditions of those areas. This report is updated every three months. A copy of the school report is available at the school site.

**CLOSED CAMPUS:** (EC 44808.5) The Governing Board of the District has established a "closed campus" at all District high schools. Once students arrive at school, they must remain on campus until the end of the school day unless they have brought written authorization from their parents/guardian and received permission from school authorities to leave for a specific purpose. Students who leave campus without such authorization shall be classified as truant and subject to disciplinary action.

**DISASTER PREPAREDNESS EDUCATIONAL MATERIALS** (EC 32282.5): The California Department of Education electronically distributes disaster preparedness educational materials to school districts and county offices of education. Documents are posted on the CDE website at: [www.cde.ca.gov/siss/cp/pupilsafetyeducmat.asp](http://www.cde.ca.gov/siss/cp/pupilsafetyeducmat.asp).

**DISRUPTION IN A PUBLIC SCHOOL OR PUBLIC SCHOOL MEETING:** (EC 32210) Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500).

**DISTRICT LIABILITY FOR STUDENTS** The District, Governing Board, officers and employees shall be held harmless by parent or guardian for any injuries caused by students' negligent acts, even if committed in carrying out instructor's request. The District, governing board, officers and employees shall be held harmless for any loss of personal property or equipment through students' negligent acts while on school grounds or involvement in any school activity. Student's injury and/or loss of personal property shall be the responsibility of the student's parents or legal guardians except in instances where district negligence can be proven by the appropriate court of jurisdiction.

**LIABILITY OF PARENT OF GUARDIAN:** (EC 48904) The parent or guardian of any minor whose willful conduct results in injury or death to any pupil or any person employed by, or performing volunteer services for the district, or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to the District or district employees, is liable for all damages so caused by the minor. Any minor who willfully cuts, defaces or otherwise injures in any way any property, real or personal, belonging to the District, or personal property of any school employee shall be liable for all damages caused by the minor, or for all property loaned to the minor and not returned on demand of a district employee authorized to make such demand. Any school district whose real or personal property has been willfully cut, defaced or otherwise injured, or whose property is loaned to a pupil and is willfully not returned upon demand of an employee of the District authorized to make the demand may, after affording the pupil his or her due process rights, withhold grades, diploma and transcripts of the pupil responsible for the damages until the pupil or the pupil's parents or guardian has paid for the damages.

**PESTICIDE PRODUCTS:** (EC 48980.3 17612) An annual notification is made to parents with a list of all pesticide products and expected use at school facilities during the year. To obtain a copy of the annual notification, please contact the District's Operation Department at 951.676-1600 ext. 1132. Persons wishing to be notified in advance of individual pesticide applications may register with the District for that purpose.

**SAFE PLACE TO LEARN ACT:** (EC 234 and 234.1) The District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Penal Code 422.55, including immigration status, and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation or, bullying related to school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion. To report an incident and/or to receive a copy of the District's anti-discrimination, anti-harassment, anti-intimidation and anti-bullying policies, contact the District's Safe Schools Unit, 41870 McAlby Court, Murrieta, CA 92562, (951) 696-1600.

**SAFE SCHOOLS:** (E C 48900) The District embraces a philosophy of safe schools with regard to expellable offenses related to drugs, alcohol and dangerous objects. The "Safe Schools" philosophy is defined to mean that students who are found in violation of Education Code 48900, subsections (b), (c) and (d) under certain conditions may be expelled on the first offense. It is within the authority of the governing board to recommend rehabilitative programs as part of the readmission requirements.

**SCHOOL BUS SAFETY:** (EC 39831.5) All pupils in pre-kindergarten, kindergarten and grades 1 to 5, shall receive written information on school bus safety (i.e., a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

**SCHOOL SAFETY PLAN:** (EC 32280 et seq.) Each district school site has a School Safety Plan, which includes a comprehensive disaster preparedness plan. Copies are available to read at each school office. District schools also have periodic fire drills and emergency drills.

**SCHOOL VISITING PROCEDURES:** (EC 51101(a)(12)) Parents and guardians of students enrolled in public schools have the right and opportunity, as mutually supportive and respectful partners in the education of their children, to be informed in advance about school rules, including procedures for visiting the school. Procedures for visiting a school are located on the District's website. Penal Code 627.6 requires schools to post at every entrance a notice setting forth the visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements.

**SEARCH AND SEIZURE:** The governing board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property including vehicle when parked on District property, or lockers by school officials. School officials may search individual students and their property when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law or the rules of the District or the school. In an effort to keep the schools free of drugs, the District may use specially trained non-aggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or district policy. School lockers remain the property of the District even when assigned to students. The lockers are subject to search whenever the district finds a need to do so. The use of the school locker for other than school-related purposes is prohibited. Improper use of school lockers will result in discipline, including but not limited to suspension and/or expulsion.

**WALKING OR RIDING A BIKE TO SCHOOL:** (VC 21212) Parents of children who walk or ride their bicycles to school are asked to go over a safe route to school with their children. Walkers may not take shortcuts through private property. All children are expected to display good behavior on the way to and from school. The District prohibits skateboards, scooters and related items from being used on school grounds at any time. No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

## **SEXUAL HARASSMENT**

**SEXUAL HARASSMENT:** (EC 200, 240, 212.5, 231.5 & 230, 48900.2; 5 CCR 4917; BP 5145.7): The District is committed to a work and educational environment in which all individuals are treated with respect and dignity. Each individual has the right to work and learn in a professional atmosphere that promotes equal employment and educational opportunity and is free from discriminatory practices. Sexual harassment is a violation of Title IX of the Education Amendment Act of 1972, Title VII of the Civil Rights Act of 1964 and California Education Code. Therefore, the District strongly condemns, opposes and prohibits sexual harassment of individuals, in any form. Any employee who violates this policy will be subject to discipline, up to and including termination and any student who violates this policy will be subject to discipline up to and including expulsion. As used here, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

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

The conduct described above must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment.

### **Contact Information**

The staff member, position, or unit responsible to receive Title IX complaints in our agency is:

Dale Velk  
Director, Student Support Services or Designee  
dvelk@murrieta.k12.ca.us  
41870 McAlby Court  
Murrieta, CA 92562  
951.696.1600

## **SPECIAL EDUCATION**

**CHILD FIND:** (EC 56301, BP 6164.4) Federal and state law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Any parent suspecting a child has exceptional needs due to a disability may request an assessment for eligibility for special education services through their child's school site or by contacting the Special Education Department at the District Office.

**GENERAL RIGHTS - DISABLED PUPILS — SECTION 504 OF THE REHABILITATION ACT:** Section 504 of the Federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101 et seq.) prohibits discrimination on the basis of disability. Section 504 requires school districts to identify and evaluate children with disabilities in order to provide them a free, appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activities, including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, speaking, are eligible to receive services and aids designed to meet their needs as adequately as the needs of nondisabled students are met. A student has the right to be educated with nondisabled students to the maximum extent appropriate to the student's individual needs. Notice of the procedural safeguards guaranteed by law can be obtained at the Murrieta Valley Unified School District office.

**INSPECTION OF SPECIAL EDUCATION RECORDS:** (EC 56043(n)) Upon request, parents or guardians of children with exceptional needs may examine and receive copies of the student's records within five business days after a request is made and prior to any Individualized Education Program meeting, hearing or resolutions session regarding their child.

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

The District assures that lack of English language skills will not be a barrier to admission or participation in district programs. Complaints of unlawful discrimination are investigated through the Uniform Complaint Procedure. Such complaints must be filed no later than six months after knowledge of the alleged discrimination was first obtained. Questions or concerns regarding these rights or allegations of discrimination should be directed to the Director of Student Support.

**PUPILS WITH TEMPORARY DISABILITIES / HOME HOSPITAL INSTRUCTION:** (EC 48980, 48206.3, 48207, 48208): Students temporarily disabled by accident or by physical, mental or emotional illness making attendance at school impossible or inadvisable may receive individual instruction at home (or in a hospital or residential health facility) within the district. Such instruction may be given from one to five hours a week. Temporarily disabled students who are receiving care in an out-of-district residential health facility (excluding state hospitals) are deemed residents of the district in which the health facility is located. Home or hospital instruction shall be provided only when a student is expected to be out of school for two weeks or longer. Parents or guardians should first contact the principal to determine services. If it is determined by the Student Services Department that the student may be in need of home/hospital instruction, a written order will be required from the student's physician. This order must include a description of the disabling condition, the length of time the student will be unable to attend school and the treatment modality. The physician shall have determined that the home teacher will not be exposed to any contagious diseases that can be transmitted by casual contact.

**SPECIAL EDUCATION COMPLAINTS:** (EC 56500.2) Parents or guardians have a right to file a written complaint with the school if they believe the school is in violation of federal or state law governing the identification or placement of special education students, or similar issues. Procedures are available from your building principal.

**SPECIAL EDUCATION DUE PROCESS HEARINGS:** (EC 56502) Parents or guardians have the right to file a request with the Office of Administrative Hearings to initiate a due process hearing relating to special education rights. A model form is available at <https://www.dgs.ca.gov/oah/SpecialEducation.aspx>.

## **STUDENT SERVICES**

**CHILD ABUSE AND NEGLECT REPORTING:** (PC 11164 et seq.) District staff are required by law to report cases of child abuse and neglect to the appropriate law enforcement agency whenever staff have a reasonable suspicion that a child is being abused or neglected. Reasonable suspicion does not require certainty that the child abuse and/or neglect has occurred. The reporting staff member's name and report are confidential. The fact that a child is homeless, or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

**CHILDREN OF MILITARY FAMILIES:** (EC 49701, 51225.1, 51225.2) Children of military families, as defined, who transfer between schools any time after the completion of the pupil's second year of high school shall be exempt from all coursework and other graduation requirements adopted by the District governing board that are in addition to the statewide coursework requirements, unless the District makes a finding that the child of a military family is reasonably able to complete the graduation requirements by the end of the pupil's fourth year of high school. In addition, children of military families may qualify for a fifth year of high school. For more information, contact Howard Dimler, Executive Director of Student Support.

**ENGLISH IMMERSION PROGRAM:** (EC 310) In order to facilitate parental choice of program, District will inform any parent or guardian of a pupil who is to be placed in a structured English immersion program and will notify the parent or guardian of an opportunity to apply for a parental exception waiver.

**FINGERPRINTING PROGRAM-(EC 32390):** The District does not offer a voluntary fingerprinting program. Fingerprinting requires written parental consent as well as payment by the parent or guardian of any applicable fees

**FOSTER CHILDREN BILL OF RIGHTS:** (EC 48853; 48853.5; 49069.5; 51225.1; 51225.2)

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

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

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

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

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

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

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

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

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

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

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

- (1) Ensures and facilitates proper educational placement, enrollment in school, and checkout from school for foster children;

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

At the initial detention or placement by the Juvenile Court, or any subsequent change in placement of a foster child by the Court, the local educational agency serving the child shall allow the foster child to continue his or her education in the school of origin for the duration of the jurisdiction of the court. If the jurisdiction of the court is terminated prior to the end of the academic year:

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

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

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

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

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

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

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

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

- (1) Inform the pupil of his or her option to remain in school for a fifth year to complete the local educational agency's graduation requirements.
- (2) Inform the pupil, and the educational rights holder, about how remaining in school for a fifth year to complete the local educational agency's graduation requirements will affect the pupil's ability to gain admission to a postsecondary educational institution.

**FOSTER YOUTH EDUCATIONAL PLACEMENT:** (EC 48850 et seq.) The school district is required to designate a staff person as an educational liaison for foster children. The educational liaison shall ensure and facilitate the proper educational placement, enrollment in school and checkout from school and assist foster children when transferring from one school district to another or from one school to another to ensure proper transfer of credits, records and grades. Additional information regarding the District's foster youth educational liaison may be obtained from the Student Support Office.

**HOMELESS YOUTH EDUCATION:** (42 USC 11432) The District has appointed a liaison for homeless children who ensures the dissemination of public notice of the educational rights of students in homeless situations. Circumstances for eligibility include: living in a shelter, a motel, hotel, a house or apartment with more than one family because of economic hardship or loss, in an abandoned building, in a car, at a campground, or on the street, in temporary foster care or with an adult who is not your parent or guardian, in substandard housing, or with friends or family because you are a runaway or unaccompanied youth. Homeless children have the right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers. They have a right to education and other services including to participate fully in all school activities and programs for which child is eligible, to qualify automatically for nutrition programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment. No homeless youth shall be required to attend a separate school for homeless children or youth. Homeless youth shall not be stigmatized by school personnel. Please contact the Student Support Office for more information.

**IMMIGRATION AND CITIZENSHIP STATUS; EDUCATIONAL EQUITY (EC 234.7, 66251, 66270.3):** Except as required by state or federal law or as required to administer a state or federally supported educational program, District shall not collect information or documents regarding citizenship or immigration status of pupils or their family members. All children have a right to a free public appropriate education, regardless of immigration status or religious beliefs. For more information, please visit the State of California's Attorney General's "Know Your Rights" page at <https://oag.ca.gov/immigrant/rights>. The Equity in Higher Education Act states that all persons, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, immigration status, religion, sexual orientation, or any other protected characteristic, shall be afforded equal rights and opportunities in higher education. An application for financial aid for higher education may not be denied of a student based on their immigration status.

**MEGAN'S LAW:** (PC 290.4) Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California. The district refers parents to their local law enforcement agency regarding information about the availability of a CD-ROM or other electronic medium containing information about registered sex offenders as required by "Megan's Law," as specified. This information is provided by the Department of Justice to local law enforcement agencies in each county and is available through the Murrieta Police Department.

**MIGRANT AND NEWLY ARRIVED IMMIGRANT PUPILS / GRADUATION REQUIREMENTS:** (EC 51225.1, 51225.2). In some cases, a migratory child may be exempted from coursework required by the District that is beyond statewide coursework requirements for graduation. Within 30 calendar days of the date that a pupil who is a migratory child, who may qualify for the exemption from local graduation requirements, transfers into a school of the District, the school shall notify the pupil and the pupil's parent or guardian of the availability of the exception and whether the pupil qualifies.

**MIGRANT EDUCATION:** (EC 54444.2) The District receives migrant education fund and services and will actively solicit parental involvement in the planning operation and evaluation of its programs through the establishment of a parent advisory council. Parents have the sole authority to determine the composition of the council.

**NOTICE OF ALTERNATIVE SCHOOLS:** (EC 48980, 58501) California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines an alternative school as a school or separate class group within a school which is operated in a manner designed to:

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility and joy;
2. Recognize that the best learning takes place when the student learns because of his/her desire to learn;
3. 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 in part from a presentation by his/her teachers of choices of learning projects;
4. 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; and
5. 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.

**STUDENT ASSISTANCE PROGRAM REFERRAL PROCESS:** Students who receive suspensions related to (1) alcohol and other drugs, (2) violence-related incidents, and/or (3) tobacco are referred to the student assistance program, Breakthrough. Concerned staff, peers, parents and community members are also encouraged to make confidential referrals the Breakthrough program. Participation begins with a student/family interview with the Breakthrough staff. Additional educational programs and family education may be part of the student's Breakthrough Intervention Plan. Both students and parents participate in writing and signing the plan.

**STUDENT ASSISTANCE PROGRAM SERVICES:** The District-wide Student Assistance Program Breakthrough offers additional educational services, support and counseling referrals to all K-12 students/families. The District's goal is to offer respectful, confidential services, coordinate prevention, intervention and support programs, and to remove all barriers to positive academic and personal achievement in safe and drug free schools. These services include individualized student/family appointments and are especially helpful with both normal developmental challenges and serious problems like violence, gangs, tobacco, alcohol and other drug use, thoughts of suicide or any other serious problem that creates a barrier to learning. Student/families may call the Breakthrough office directly from 8-5:00 daily at: (951) 696-1600 ext. 1219 to speak CONFIDENTIALLY to the trained staff. In addition, site administrators, counselors, and other staff provide referrals to this program and can assist the student/family in obtaining information about how to use these services.

**TOBACCO-FREE CAMPUS:** (HSC 104420, 104495) Health and Safety Code 104495 prohibits smoking and use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground. The prohibition does not apply to a public sidewalk located within 25 feet of a playground.

## **TRANSFERS**

**DISTRICT OF CHOICE:** (EC 48300, et seq.) The District is not a District of Choice: a district that accepts transfer students from outside the district under the terms of a resolution. If applicable: The District determines the number of transfers it is willing to accept and ensures that students are selected through a random and unbiased process.

### **Choosing a School Outside the District in Which Parents/Guardian Live:**

Parent/guardian has the following options for choosing a school outside of the school district in which they live.

**INTERDISTRICT TRANSFERS:** (EC 46600 46622) The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other school district. The law allows two or more districts to enter into an agreement for the interdistrict transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions for granting or denying transfers and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. No district is required to provide transportation to a student who transfers into the district unless otherwise required by state and federal law. Unless otherwise specified in the agreement, a pupil will not have to reapply for an inter-district transfer permit, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled. A student who has completed grade 10 by June 30, may enroll within the district of enrollment through grades 11 and 12 without any revocation from the desired district of enrollment, and must be treated the same as any other resident student. Regardless of whether an interdistrict agreement exists or a permit is issued, The school district of residence cannot prohibit the transfer of a pupil who is a child of an active military duty parent to a school district of proposed enrollment if that district approves the application for transfer.

If either district denies a transfer request, a parent/guardian may appeal that decision to the Riverside County Board of Education. There are specified timelines in the law for filing an appeal and for the County Board of Education to make a decision. A student who is appealing a decision for an interdistrict permit approval through the County Office of Education may be eligible for provisional admission

to the desired district in grades TK through 12, while continuing through the process of appeal, if space is made available by the desired district, not to exceed two months.

A pupil who has been determined by personnel of either the home or receiving district to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent or legal guardian, be given priority for inter-district attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an inter-district attendance agreement.

Any parents/guardians who are interested in securing more information about these options, Districts' policies or procedures, and timelines for applying for transfers should contact the Student Support Office or the school district to which transfer is sought.

**OPEN ENROLLMENT:** (EC 48350 et seq.) The governing board shall allow students who reside within District boundaries to apply for enrollment in any District school where space is available, provided such enrollment does not result in overcrowded classes, adversely affect the District's effort to prevent the racial or ethnic segregation of minority students, or displace students living within the attendance area of the school. The governing board shall allow students who reside outside of the District boundaries to apply for enrollment in any District school where space is available, provided such enrollment does not result in overcrowded classes, does not adversely affect the District's effort to prevent the racial or ethnic segregation of minority students, and does not displace students living within the attendance area of the school. The Superintendent or designee may authorize transportation to schools of choice under conditions similar to the transportation of all other students. Denials of inter-district transfer permits can be appealed to the District and subsequently to the Riverside County Office of Education.

**SCHOOL ATTENDANCE ALTERNATIVES:** (EC 48980(h)) There are various ways in which parents/guardians may choose schools for their children to attend other than the ones assigned by school districts. Students that attend schools other than those assigned by the District are referred to as "transfer students" throughout this notification. The general requirements and limitations of each process are described below.

**Residency —** (EC 48200, 48204, 48204.3, 48204.4) Each person between the ages of 6 and 18 years is subject to compulsory education unless exempted. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which residency of either the parent or legal guardian is located. A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following.

- a. Placed within the boundaries of the school district in a foster home or licensed children's institution as defined in EC 56155.5 or in a family home within the boundaries of the school district pursuant to a commitment or placement under the Welfare and Institutions Code;
- b. A pupil who is a foster child who remains in his or her school of origin pursuant to subdivisions (d) and (e) of Section 46853.5;
- c. A pupil for whom inter-district transfer has been approved;
- d. An emancipated pupil who resides within the boundaries of the school district;
- e. A pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; or
- f. A pupil residing in a state hospital located within the boundaries of the school district.
- g. A pupil whose parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the pupil at the place of his or her employment within the boundaries of the school district for a minimum of three days during the school week.
- h. A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a minimum of 10 hours during the school week.
- i. A pupil whose parent is transferred or is pending transfer to a military installation within the boundaries of the school district while on active military duty pursuant to an official military order.
- j. A pupil whose parent or parents were residents of this state and have departed California against their will, and if the pupil seeks admission to a school of the school district, shall be admitted, regardless of his or her current residency, provided the pupil has:
  - (1) Official documentation evidencing the departure of his or her parent or legal guardian;
  - (2) Moved outside of California as a result of his or her parent or legal guardian departing against their will and the pupil lived in California immediately before moving outside of California; and
  - (3) Provides documentation that the pupil was enrolled in a California public school immediately before moving outside of California.

**UNSAFE SCHOOL CHOICE:** (5 CCR 11993(k); 20 USC 7912) Students shall be allowed to attend a safe school. The District shall notify parents or guardians of pupils in elementary and/or secondary schools considered to be "persistently dangerous" pursuant to California Department of Education guidelines and of available options for attendance at a safe school. "Any firearms violations" is an event which must be considered in determining whether a school site is at risk of being classified as persistently dangerous.

**Choosing a School Within the District in Which Parents/Guardians Live:**

Education Code 35160.5(b) requires the school board of each district to establish a policy that allows parents/guardians to choose the schools their children will attend, regardless of where the parents/guardian lives in the District. The law limits choice within a school district as follows:

- a. Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- b. Each school must decide the number of openings at the school which can be filled by transfer students. Each school also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a school can deny a transfer request if it would upset this balance or would leave the school out of compliance with a court ordered or voluntary desegregation program.
- c. To the extent required and financed by federal law and at the request of the pupil's parent or guardian, the school district shall provide transportation assistance to the pupil.
- d. If a transfer is denied, a parent/guardian does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents/guardian to appeal a decision.