

PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES **2020-2021**

Vision

All NUSD
students
graduate as
college and
career ready,
productive,
responsible,
and engaged
global citizens

Natomas
Unified School District



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PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES

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

- Absence for Religious Exercises and Instruction:** Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. No pupil shall be excused from school for such purpose on more than four days per school month. (Ed. Code, § 46014)
- Comprehensive Sexual Health Education and HIV/AIDS Prevention Education:** A parent or guardian has the right to excuse their child from comprehensive sexual health education and HIV prevention education. A parent or guardian who wishes to exercise this right must state their request in writing. (Ed. Code, § 51938) A parent or guardian may inspect the written and audio-visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them with a copy of the California Healthy Youth Act. (Ed. Code, § 51930 et. seq.)

Parents or guardians shall be notified in writing if the District plans to administer an anonymous, voluntary and confidential test, questionnaire or survey containing age-appropriate questions about the pupils' attitudes concerning or practices related to sex in grades 7 to 12 and given the opportunity to review the test, questionnaire or survey. A Parent or guardian has the right to excuse their child from the test, questionnaire, or survey by stating their request in writing. (Ed. Code, § 51938)

Every child's parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified.
- Excuse from Instruction in Health:** Upon written request of a parent, a pupil may be excused from any part of instruction in health which conflicts with the parent(s)' religious training or beliefs (including personal moral convictions). (Ed. Code, § 51240)
- Administration of Medication:** Medication prescribed by a physician for a child may be administered during the school day by a registered nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-

injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician, or a physician assistant as specified by law. Forms for administering medication may be obtained from the school secretary. (Ed. Code, §§ 49423, 49423.1, 49423.5, 49480)

5. **Students on Medication:** Parents are to notify the principal if their child is on a continuing medication regimen. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the principal or school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. (Ed. Code, § 49480)

6. **Immunizations:** The District shall exclude from school any pupil who has not been immunized properly, unless the pupil is exempted from the immunization requirement pursuant to Health and Safety Code section 120370. The immunization exemption based on personal beliefs has been eliminated. (Health & Saf. Code, § 120325) A student who, prior to January 1, 2016, submitted a letter or affidavit on file at the District, stating beliefs opposed to immunization, is permitted to enroll in that institution until the student enrolls in the next grade span. Grade span means: 1) birth to preschool; 2) kindergarten and grades 1 through 6, inclusive, including transitional kindergarten; and 3) grades 7 through 12, inclusive. On or after July 1, 2016, the District shall exclude from school for the first time or deny admittance or deny advancement to any student to the 7th grade unless the student has been immunized for his or her age as required by law. (Health & Saf. Code, § 120335) A student may still be exempted from the immunization requirement based on medical condition or circumstances. A parent or guardian must file with the District a statement from a licensed physician saying that the immunization is not considered safe and is not recommended based upon the nature or duration of the medical condition or circumstances, including, but not limited to, the family medical history. (Health & Saf. Code, § 120370) As of July 1, 2019, the only medical professionals that may sign this exemption are Medical Doctors (M.D.) or Doctors of Osteopathic Medicine (D.O.) and the medical exemption must include the specific nature of the child's physical condition or medical circumstances for which the doctor does not recommend immunization.

A parent or guardian may consent in writing for a physician, surgeon, or health care practitioner acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. (Ed. Code, §§ 48216, 48980(a), 49403, Health & Saf. Code, §§ 120325, 120335)

7. **Physical Exams and Testing:** The District is required to conduct certain physical examinations and vision, hearing and scoliosis testing of students unless the parent has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code, §§ 49451, 49452, 49452.5 and 49455; Health & Saf. Code, § 124085)

8. **Confidential Medical Services:** For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student's parent or guardian. (Ed. Code, § 46010.1)
9. **Medical Coverage for Injuries:** Medical and hospital services for pupils injured at school or school-sponsored events, or while being transported, may be insured at parent's expense. No pupil shall be compelled to accept such services without his or her consent or, if the pupil is a minor, without the consent of a parent or guardian. (Ed. Code, § 49472)
10. **Medical and Hospital Services Not Provided:** The District does not provide medical and hospital services for students injured while participating in school-related activities, including athletics. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code, §§ 32221.5, 49471) In accordance with Education Code Section 49472 and Board Policy 5143, the district has made available for purchase, voluntary student and athletic accident insurance through **Student Insurance**. More information is available on the district website at <https://natomasunified.org/student-and-athletic-accident-insurance/>
11. **Mental Health Services:** The mental health services available in the District include positive behavior programs, classroom support, group and 1:1 counseling, family therapy, skill-building classes, alternative placements and connections to community resources. To access services, a parent or student may seek a referral to the school psychologist from the school administrator, request a Student Success Team (SST) meeting from the teacher, administrator or other staff, or go to the District website and select the Social-Emotional Supports (SES) Referral Form, which gathers appropriate information and initiates a response from the District's SES team.
12. **Services for Students with Exceptional Needs or a Disability:** State and federal law requires that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local Assistant Superintendent of Student Services and Support for specific information. (Ed. Code, § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. § 104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone:

Carol Swanson, Associate Superintendent
Student Services and Support

13. **No Academic Penalty for Excused Absence:** No pupil may have his or her grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified below when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, §§ 48205, 48980(j))

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

- Due to the pupil's illness.
- Due to quarantine under the direction of a county or city health officer.
- For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- For the purpose of attending the funeral services of a member of the pupil's 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.
- For the purpose of jury duty in the manner provided for by law.
- 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 doctor's note.
- 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 the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
- For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- Authorized at the discretion of a school administrator as described in subdivision (c) of Ed. Code, §§ 48260.

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

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

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

“Immediate family,” as used in this section refers to mother, father, grandmother, grandfather, or a grandchild of the pupil or of the spouse of the pupil, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the pupil, or any relative living in the immediate household of the pupil. (Ed. Code, §§ 45194, 48205)

14. **Equal Opportunity:** Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone:

Angela Herrera, Chief Academic Officer
1901 Arena Boulevard, Sacramento, CA 95834
916-561-5253 customerservice@natomasunified.org

15. **Complaints (Special Education):** Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Parents may submit a description of the manner in which the parent believes special education programs for students identified as, or are suspected of, requiring Special Education do not comply with state or federal law or regulations to:

Carol Swanson, Associate Superintendent
Student Services and Support
1901 Arena Boulevard, Sacramento, CA 95834
916-561-5434

16. **Release of Student Information:** The District does not release information or records concerning a child to non-educational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise

allowed by law. However, the following categories of directory information may be made available to various persons, agencies or institutions unless the parent or guardian notifies the District in writing not to release such information: Name, address, telephone, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and most recent previous educational institution attended. (Ed. Code, §§ 49060 et seq., 49073, 20 U.S.C. § 1232g, 34 C.F.R. § 99.7) In accordance with state and federal law, the District may also make available photographs, videos, and class rosters.

Directory information will not be released regarding a pupil identified as a homeless child or youth unless a parent, or pupil accorded parental rights, has provided written consent that directory information may be released. (Ed. Code, § 49073(c), 20 U.S.C. § 1232g, 42 U.S.C. § 11434a(2))

17. **Social Media Monitoring:** The Natomas Unified School District (NUSD) may utilize a social media monitoring company to monitor public social media posts in and around NUSD school boundaries. The purpose of monitoring is to increase the safety of all NUSD students, parents and staff. Social Media monitoring companies use keyword search parameters and advanced algorithms to locate, non-exclusively, threats of violence, threats of self-harm, bullying, privacy breaches, and cyber threats. The information collected may be shared with site principals, District administrators and/or school resource officers, who utilize the information to provide personal support, to administer appropriate discipline and to enhance District-wide safety. Information is collected 24/7 and is stored for up to 6 months. If you have questions regarding Social Media monitoring, please contact:

Shea Borges
Office of the Chief Academic Officer
1901 Arena Blvd. Sacramento, CA 95834
(916) 561-5203

18. **Use of Smartphones on Campus:** Smartphone use may be prohibited by districts, charter schools, and county schools while a student is at a school site and under supervision and control of staff. There are health and special education limits or usage that may differ from the general student population, but must be in writing and kept on file in student records for confidential record keeping and reasons. (Ed. Code, § 48901.7(a))
19. **Technology to Support Students' Social Emotional Needs:** Natomas Unified School Districts uses technology to supplement our person-to-person efforts to identify students needing social or emotional support so we can intervene and help. All staff,

students, and families can use reporting tools on the district website to report bullying or request social-emotional supports – emergency intervention is available 24/7, as needed, by clicking on a button and filing an anonymous, online report at <https://natomasunified.org/departments/student-services-and-support/mental-health-services-emergency/>

The district also uses content filtering software to block obscene or harmful content. This software also notifies staff when or if a student is signed into their district gmail account and types in words indicating the need for social emotional support, such as wanting to harm themselves or others.” Timely notification enables psychologists, counselors and other staff to support that student’s health and well-being, as needed.

Here are a few important things for you to know about this tool.

- This tool will notify our Social-Emotional Support Team any time a student is signed into their district Gmail account on a Chrome device such as a Chromebook whether they are at school, home, or somewhere else and the student has demonstrated a need for support.
- This tool is not used on staff accounts.

20. **Inspection of Student Records:** State law requires that the District notify parents of the following rights which pertain to student records. (Ed. Code, §§ 49063, 49069, 34 C.F.R. § 99.7)

- a. A parent or guardian has the right to inspect and review student records relating directly to his or her child during school hours or obtain a copy of such records within five (5) business days of his/her request.
- b. Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records.
- c. A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

A parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

- Inaccurate.
- An unsubstantiated personal conclusion or inference.
- A conclusion or inference outside of the observer's area of competence.
- Not based on the personal observation of a named person with the time and place of the observation noted.
- Misleading.
- In violation of the privacy or other rights of the pupil.

Within thirty (30) days, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student. (Ed. Code, § 49070)

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

- d. A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. Student Records Logs are located at each school and are open to inspection by parents or guardians. (Ed. Code, § 49064)
- e. School officials and employees having a legitimate educational interest, as well as persons identified in Education Code sections 49076 and 49076.5 and in the Family Educational Rights and Privacy Act, may access student records without first obtaining parental consent. "School officials and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel),

a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist), or a parent, student, foster family agency, short-term residential treatment staff, or caregiver whose access to student records is legally authorized. A "legitimate educational interest" is one held by a school official or employee whose duties and responsibilities create a reasonable need for access. (Ed. Code, §§ 49063(d), 49076, 49076.5, 20 U.S.C. 1232g)

- f. Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.
- g. Parents and guardians may be charged 15 cents per page for the reproduction of student records.
- h. Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232g(g))
- i. Parents may obtain a copy of the District's complete student records policy by contacting the Superintendent.

21. **Family Educational Rights and Privacy Act:** In addition, parents have certain rights regarding student information and records which are guaranteed under federal law. A handout notifying parents of these rights is attached (see page 24).

22. **Surveillance Systems:** The Board is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft. Therefore, surveillance cameras are installed throughout District sites in areas such as hallways, cafeterias, multi-purpose rooms, gymnasiums, playgrounds and parking lots. They are not installed in areas that students, staff or community members would have a reasonable expectation of privacy. Audio capability is disabled EXCEPT on the district's school busses. These video recordings may be used in disciplinary proceedings, and video captured by the cameras may also be referred to local law enforcement, as appropriate.

23. **Student Discipline:** District and School rules pertaining to student discipline are available to parents or guardians of district students in the school office. (Ed. Code, § 35291) Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be

disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours. (Ed. Code, § 48900(r))

According to the California Department of Education's publication titled, *Bullying at School*, bullying is defined as exposing a person to abusive actions repeatedly over time. If your child is being bullied, the best decision is to tell a school administrator. You can also report bullying via our website: <https://natomasunified.org/bully-prevention/>

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyber-bully, cause bodily injury to, or commit hate violence against any other student or school personnel. (Ed. Code, §§ 234.1; 48900(r)) (BP 5131.2)

24. **Dissection of Animals:** If a student has a moral objection to dissecting (or otherwise harming or destroying) animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil's parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project or test for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. (Ed. Code, §§ 32255-32255.6)
25. **Temporary Disability:** A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction.

Home Instruction: The district in which the student resides is to provide individual instruction if the student is receiving the instruction in his or her home. Individual instruction in a pupil's home pursuant to section 48206.3 shall commence no later than five working days after a school district has determined that the pupil shall receive this instruction.

Hospital or Health Facility Instruction: The school district in which the hospital or other residential health facility, excluding a state hospital, is located must provide individual instruction to a student with a temporary disability. Within five working days of receipt

of the notification, the district must determine whether the pupil will be able to receive individual instruction, and, if so, when the individual instruction will begin. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence, shall be deemed to comply with the residency requirements of the school district in which the hospital is located. A school district may continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or residential health facility to facilitate the timely reentry of the pupil after the hospitalization has ended, or in order to provide a partial week of instruction. On days in which the student is not receiving individual instruction in a hospital or other residential health facility, he or she may attend school in his or her district of residence if well enough to do so. A pupil receiving individual instruction who is well enough to return to a school shall be allowed to return to the school, including a charter school, that he or she attended immediately before receiving individual instruction, if returning during the same school year. (Ed. Code, §§ 48206.3, 48207, 48207.3, 48207.5, 48208, 48980(b))

Pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom shall be treated in the same manner and under the same policies as any other temporary disabling condition. (Ed. Code, § 221.51)

26. **Student Residency:** A student may be enrolled in the District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the District (Ed. Code, § 48200); (2) the District has approved interdistrict attendance (Ed. Code, § 46600); (3) the student is a foster child who remains in his or her school of origin pursuant to Education Code section 48853.5(f) and (g); (4) the student is placed in a regularly established children's institution, licensed foster home, or family home; (5) the student is emancipated and lives within the District; (6) the student lives in the home of an adult who has submitted a caregiver affidavit; (7) the student resides in a state hospital within the District or (8) the student's parent or legal guardian resides outside of the boundaries of the school district but is employed and lives with the student at the place of his/her employment within the school district boundaries for a minimum of three days during the school week. (Ed. Code, § 48204). The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the district's boundaries for a minimum of 10 hours during the school week. (Ed. Code, § 48204). A student also complies with the residency requirements for school attendance in a school district if he or she is a student whose parent is transferred or pending transfer to a military installation within the state while on active duty pursuant to an official military order. However, the parent must provide proof of residence in the school district within ten days after the published arrival date provided on official documentation. (Ed. Code, § 48204.3) A student also complies with the residency requirement if the student's parent/guardians were residents of the state but departed California against their will if

the student provides official documentation evidencing the departure of her/his parent/guardians against their will; that the student moved outside of California as a result of her/his parent/guardians departing California against their will, and that the student lived and was enrolled in school in California immediately before moving outside of California. (Ed. Code, § 48204.4)

27. **Attendance Options:** All districts must inform parents at the beginning of the school year how to enroll in a school within the district that is different than the one assigned. Students who attend schools other than those assigned by the district are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the district which the parent lives (intradistrict transfer), and two separate processes for selecting schools in other districts (interdistrict transfer). (Ed. Code, § 48980(h)) There is also a process under the Open Enrollment Act for students enrolled in "low-achieving schools," as identified annually by the State Superintendent of Public Instruction. (Ed. Code, § 48350 et seq.)

Attached are copies of the District's Board Policies for Interdistrict (BP 5117) and Intradistrict (BP 5116.1) Transfers (see pages 25-29). Parents interested in Interdistrict or Intradistrict Transfers should contact Enrollment and/or the Office of the Chief Academic Officer. The general requirements and limitations of each process are described as follows:

- a. Choosing a School Within the District in Which Parent Lives (Intradistrict): Education Code section 35160.5(b) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. (BP 5116.1) The law limits choice within a school district as follows:
- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
 - The Superintendent or designee shall calculate each school's capacity in a non-arbitrary manner using student enrollment and available space. (Ed. Code, § 35160.5) Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity. (Ed. Code, § 35160.5) Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Ed. Code, § 35160.5) However, a district may consider special circumstances that might be harmful or dangerous to a particular pupil in the current attendance area of the pupil, including physical threats of bodily

- harm or threats to the emotional stability of the pupil documented by a state or local agency, licensed or registered professional, or court order.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
 - A district is not required to provide transportation assistance to a student that transfers to another school in the district under these provisions.
 - If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.
- b. Choosing a School Outside the District in Which Parent Lives: Parents have two different options for choosing a school outside the district in which they live. (BP 5117) The two options are:
1. Interdistrict Transfers (Ed. Code, §§ 46600-46610): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for a term of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. The law on interdistrict transfers also provides for the following:
 - Once a pupil is enrolled in a school pursuant to an interdistrict transfer agreement, the pupil must be allowed to continue for the term specified in the ITP, and attend the school in which he or she is enrolled without reapplying, unless revocation of the interdistrict transfer is a term and condition of the agreement between the districts; however, a district must not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year. (Note: Districts within the Sacramento County Office of Education use the same, or similar, interdistrict transfer application that stipulates the terms and conditions under which a permit may be denied or revoked.)
 - Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the district of residence must be given priority for interdistrict attendance under any existing interdistrict attendance agreement or additional consideration for the creation of an interdistrict attendance agreement. (Ed. Code, §§ 46600(b), 48900(r))
 - A district may not prohibit an interdistrict permit release when no intradistrict permit options are available to a victim of bullying. A “victim of an act of bullying” means a pupil that has been determined to have been a

victim of bullying by an investigation pursuant to the complaint process described in Section 234.1 and the bullying was committed by any pupil in the school district of residence, and the parent of the pupil has filed a written complaint regarding the bullying with the school, school district personnel, or a local law enforcement agency. "Bullying" means any severe or pervasive physical or verbal communication made in writing or by means of an electronic act directed toward one or more pupils that results in placing a reasonable person in fear of harm of self or property. It may cause a substantially detrimental effect on physical or mental health, interfere with academic performance or the ability to participate in or benefit from the services, activities, or privileges provided by a school, and may be done in person or online. Bullying may be exhibited in the creation or transmission of bullying online, on or off the school site, by telephone or other device in a message, text, sound, video, or image in a post on a social network internet website or burn page that creates a credible impersonation of another student knowingly and without consent for the purpose of bullying. Sharing or forwarding messages contributes to the act of bullying. (Education Code Section 46600(d)(2)).

- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.
- A school district of residence shall not prohibit the transfer of a student who is a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the transfer application. (Ed Code § 46600(d))
- Grounds for mid-year revocation include the following:
 - If a student does not maintain a 95% attendance rate and/or a SART or SARB has been held;
 - If a student does not maintain a 2.0 GPA in grades 7-10 or satisfactory marks in TK-6;
 - If a student has any suspendable offenses and/or the pupil has a behavior support plan; or
 - If a student is recommended for expulsion.
- In order to revoke an ITP mid-year, the following conditions must be met:
- a minimum of 5 interventions including 2 direct parent contacts
 - documented supports and intervention to child and/or family

- for attendance, referral to District intervention programs such as SART/SARB

Parents will be given a minimum of 10 days written notice. The transition back to school of residence will happen at the next logical break (end of quarter or semester).

2. **"Allen Bill" Transfers** (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which his/her parents (or legal guardian(s)) physically work for a minimum of 10 hours during the school week if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental income, academic achievement, or any other "arbitrary" consideration. Other provisions of Education Code section 48204(b) include:
 - Either the district in which the parent (or legal guardian) lives or the district in which the parent (or legal guardian) physically works may prohibit the student's transfer if it is determined that there would be a negative impact on the district's desegregation plan.
 - The district in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student.
 - There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
 - There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student is encouraged to provide in writing to the parent the specific reasons for denying the transfer.
- c. **Applying to Attend a School under the Open Enrollment Act**: The Open Enrollment Act allows the parent of a pupil enrolled in a "low-achieving school" to submit an application for the pupil to transfer to another public school served by the school district of residence or another school district. (Ed. Code, § 48350 et seq.) The parent must submit an application requesting a transfer to the school district in which the parent does not reside, but in which the parent intends to enroll the pupil. With some exceptions, the application must be submitted prior to January 1 of the school year before the school year for which the pupil is requesting a transfer. Both of the school districts from which and to which the parent has applied to transfer may prohibit or limit pupil transfers if the transfer would negatively impact a court-ordered or

voluntary desegregation plan or the racial/ethnic balance of the district. Additionally, the school district in which the parent does not reside, but in which the parent intends to enroll the pupil may adopt specific, written standards for acceptance and rejection of applications pursuant to the Open Enrollment Act. (Ed. Code, § 48356)

28. **Sexual Harassment Policy:** Each student will receive a written copy of the District Board Policy on sexual harassment. The purpose of this policy is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. A copy of the District's policy on sexual harassment (BP 5145.7) is attached (see pages 30-36). (Ed. Code, §§ 231.5, 48980(g))
29. **Notice of Alternative Schools:** California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to:
- a. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
 - b. Recognize that the best learning takes place when the student learns because of the student's desire to learn.
 - c. Maintain a learning situation maximizing student self-motivation and encouraging the student in his or her own time to follow his or her own interests. These interests may be conceived by the student totally and independently or may result in whole or in part from a presentation by the student's teachers of choices of learning projects.
 - d. Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous permanent process.
 - e. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for parent information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. (Ed. Code, § 58501)

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

31. **Leaving School Grounds:** In order to keep students in a supervised, safe and orderly environment, the Governing Board established a closed campus at all district schools. Students shall not leave the school grounds at any time during the school day without written permission of their parents/ guardians and school authorities. Students who leave school without authorization shall be classified truant and subject to disciplinary action. (BP 5112.5)

32. **U.S. Department of Education Programs:** The following applies only to programs directly funded by the U.S. Department of Education:

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the children.

No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

- a. political affiliations or beliefs of the student or student's parents;
- b. mental and psychological problems of the student or his/her family;
- c. sex behavior or attitudes;
- d. illegal, anti-social, self-incriminating or demeaning behavior;
- e. critical appraisals of other individuals with whom respondents have close family relationships;
- f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g. religious practices, affiliations, or beliefs of the student or student's parent; or
- h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent. (20 U.S.C. § 1232h)

33. **Uniform Complaint Procedures.** A copy of the District's procedures regarding Uniform Complaints is attached (see pages 37-42).
34. **Pupil-Free Staff Development Day and Minimum Day Schedule:** A copy of the District's pupil-free staff development day and minimum day schedules is attached for reference. (see page 43) A pupil's parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (Ed. Code, § 48980(c))
35. **Review of Curriculum:** A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for parent review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code, §§ 49063, 49091.14)
36. **Parent Visitation:** A parent or guardian has the right to observe instruction and other school activities that involve his or her child in accordance with procedures determined by the governing board of the school district to ensure the safety of pupils and school personnel and to prevent undue interference with instruction or harassment of school personnel. Reasonable accommodation of parents and guardians shall be considered by the governing board of the school district. Upon written request by the parent or guardian, school officials shall arrange for the parental observation of the requested class or classes or activity by that parent or guardian in a reasonable timeframe and in accordance with procedures determined by the governing board of the school district. (Ed. Code, § 49091.10(b))

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during non-instructional time. (BP 1250(a))

In lieu of a written request by the parent or guardian, the principal, upon his or her discretion, may grant a classroom visit with a verbal request representing a 24-hour notice.

The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or designee may request

that any individual who is causing a disruption including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds. (BP 1250(a))

The principal or designee may refuse to register any visitor if he /she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke any visitor's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)

37. **Visitor Badge Protocol:** For the safety of students, parents and staff, the Natomas Unified School District reserves the right to determine, and monitor, who visits its facilities. Therefore, the District has implemented the eVisitor Badge system. The system requires visitors to check-in at all school sites and District offices and take a picture that is printed out on a visitor badge. While on District property, the visitor badge must be worn on the front of the upper body where it is easily visible to staff. The purpose of the badge is to make visitors to school sites and District offices easily identifiable, which will increase safety for all. Although guests will have to check in for each visit, they will not have to take a picture more than once at any individual site. Any guest not willing to have their picture taken, as part of the eVisitor Badge system, will not be admitted to enter the site or facility for visitation. Any guest not wearing their visitor badge while on District property may be asked to leave the site. The badges are time-sensitive and will expire in a predetermined time frame.

When a visitor fails to register, or when the principal or designee denied or revoke a visitor's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform him/her that if he/she reenters the school within designated time period he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

If you have questions regarding the eVisitor Badge system, please contact Kamaljit Pannu, Assistant Superintendent, Office of the Chief Academic Officer, at 916-561-5203.

38. **Transitional Kindergarten:** The district's Transitional Kindergarten ("TK") program shall admit children whose fifth birthday is from September 2 through December 2. Parents/ guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

Upon parent/guardian request, the district may, on a case-by-case after the Superintendent or designee determines that it is in the child's best interest, admit into the district's TK program a child whose fifth birthday is on or before September 1, and therefore is eligible for kindergarten.

At any time during the school year, the school district or charter school may admit a child, who will have his/her fifth birthday after December 2, to a TK program with parental/guardian approval if:

- the Superintendent or designee recommends that enrollment into a TK program is in the child's best interest, and the parents/guardians approve
- prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Ed. Code, § 48000)

39. **Student Assessments - California Assessment of Student Performance and Progress (CAASPP)**
- a. CAASPP tests are administered each spring to students in grades 3-12. Not all students will take all tests each year. The CAASPP Tests are administered on student computers and are designed to give information to teachers, students, and their families about what students know and are able to do, and whether they are on track to be ready for success in college or career when they graduate from high school. Test results will help identify and address gaps in knowledge or skills early on so students get the support they need to be ready for success in higher grades.
 - b. California State Education Code 60615 states that parents have the right to opt their child out of participating in state mandated test programs. According to Natomas Unified School District Board Policy, a parent/guardian may annually submit to the school a written request to excuse his/her child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the Superintendent or designee. However, district employees shall not solicit or encourage any exemption request on behalf of any student or group of students. (Education Code 60615; 5 CCR 852) If a parent/guardian submits and exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent/guardian and included in the student's records. (5 CCR 852)
 - c. If you would like to know more, please contact the principal at your child's school.
40. **Child Find System; Policies and Procedures:** Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the Assistant Superintendent of Student Services and Support or his designee. Policy and procedures shall include written notification to all parents of their

rights pursuant to Education Code section 56300 et seq. (Ed. Code, § 56301; 34 C.F.R. § 104.32(b))

41. **School Accountability Report Card:** SARCs are available online on the district website. Parents/guardians may request a hard copy of the School Accountability Report Card which is issued annually for each school of the District. (Ed. Code, § 35256)
42. **Assistance to Cover Costs of Advanced Placement (AP) or International Baccalaureate (IB) Examination Fees:** The District may help pay for all or part of the costs of one or more advanced placement and/or IB examinations that are charged to economically disadvantaged students. If you are in need of financial assistance to take the AP or IB test(s), please notify your school's site administrator in charge of administering AP tests. (Ed. Code, §§ 48980(k), 52242)
43. **Every Student Succeeds Act (ESSA):** The Every Student Succeeds Act took full effect in 2018 to replace the No Child Left Behind Act in modifying the Elementary and Secondary Education Act of 1965 (ESEA). If updates are provided by the California Department of Education, the following parent notice requirements may change and new notice requirements may be added.
 - a. **Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides:** Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he/she teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the major or field of discipline for any degrees or certifications held by the teacher, and whether any instructional aides or paraprofessionals provide services to the parents' child and, if so, their qualifications. In addition, parents have a right to notice when the parent's child has been taught for four or more weeks by a teacher who is not highly qualified. ESEA § 1111(h)(6) (as amended by ESSA))
 - b. **Information Regarding Individual Student Reports on Statewide Assessments:** Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student. ESEA § 1111(h)(6) (as amended by ESSA))
 - c. **School Identified for School Improvement:** A local educational agency shall promptly provide notice to a parent or parents of each student enrolled in an elementary school or a secondary school identified for school improvement (school

that fails for two consecutive years to make adequate yearly progress as defined in the State's plan), for corrective action or for restructuring. The notice should be in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. Notice must include: an explanation of what the identification means; how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the local educational agency and the State educational agency involved; the reasons for the identification; an explanation of what the school identified for school improvement is doing to address the problem of low achievement; an explanation of what the local educational agency or State educational agency is doing to help the school address the achievement problem; an explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and an explanation of the parents' option to transfer their child to another public school (with transportation provided by the agency when required or to obtain supplemental educational services for the child). (ESEA § 1116(b)(6) (as amended by ESSA))

- d. **Limited English Proficient Students:** The Act requires notice be given to parents of limited English proficient students regarding limited English proficiency programs not later than 30 days after the beginning of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student's level of English proficiency and how such level was assessed; the status of the student's academic achievement; the methods of instruction used in the available programs (including content, instructional goals, and the use of English and native language); how the recommended program will meet the student's educational strengths and needs; how the program will specifically help the student learn English and meet age-appropriate academic achievement standards; the exit requirements for the program; how the program meets the objectives of the student's IEP, if applicable; and, parent options for removing a student from a program, declining initial enrollment and/or choosing another program. (ESEA § 1112(g)(1)(A) (as amended by ESSA)) In addition, the notice shall include whether the student is a long-term English learner or English learner at risk of becoming a long-term English Learner and the manner in which the program will meet the needs of a child identified as either a long-term English learner or English learner at risk of becoming a long-term English Learner. (Ed. Code, § 313.2)

The information provided above is available upon request from each student's school or the district office. Additional notices that may be required shall be sent separately. (20 U.S.C. § 6301 et seq.)

44. **Language Acquisition Program:** If a school district implements a language acquisition program pursuant to Education Code section 310, it must do the following: 1) comply with the kindergarten and grades 1-3, inclusive, class size requirements specified in Education Code section 42238.02 and (2) provide the parent or legal guardian of the minor pupil annually, or upon the pupil's enrollment, with information on the types of language programs available to pupils enrolled in the school district, including, but not limited to, a description of each program.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child.

The district shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. (Education Code 306; 5 CCR 11300)

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305, 306; 5 CCR 11309)

Natomas Unified School District offers the following language acquisition programs. Parents may choose a language acquisition program that best suits their child.

- **Structured English Immersion (SEI) Program:** a language acquisition program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305, 306; 5 CCR 11309). At a minimum, students are offered Designated ELD and provided access to grade level academic subject matter content with Integrated ELD.

How to Request the Establishment of a New Program at a School:

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

To make a verbal or written request, please contact your school site administration. In addition, verbal requests can be sent to the Office of the Chief Academic Officer at 916-567-5444 or Customer Service at 916-561-5253. Written requests can also be emailed to customerservice@natomasunified.org.

2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.

3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:

a. Within 30 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program

b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals

c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators

d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program.

If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

45. **Military Recruiter Information:** Education Code section 49073.5 requires that school districts disclose the names, addresses and telephone numbers of high school students to military recruiters upon request, unless parents request that this information not be released without prior written consent. Parents have the option of making such a request. If parents do not wish this information to be provided to military recruiters, they must notify the District office of this fact in writing. The writing should be directed to the District official listed below at the following address:

Constituent and Customer Services
1901 Arena Boulevard, Sacramento, CA 95834
916-561-5253 customerservice@natomasunified.org

46. **Children in Homeless/Foster Care Situations, Former Juvenile Court School Students, Migrant Students, and Newcomers:** Each local district shall designate a staff person as a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (Ed. Code, § 48852.5) (42 U.S.C. §§ 11432(g)(1)(J)(ii))

A district serving a homeless child must allow the child to continue his/her education in the school of origin through the duration of homelessness at the point of any change or any subsequent change in residence once a child becomes a homeless child. If the child's status changes before the end of the academic year so that he/she is not homeless, the district must allow a child in high school to continue his/her education in the school of origin through graduation. For a child in grades K through 8, the district must allow the formerly homeless child to continue his/her education in the school of origin until the end of the academic school year. A homeless child transitioning between school grade levels must be allowed to continue in the school district of origin in the same attendance area. If a homeless child is transitioning to a middle or high school where the school designated for matriculation is in another school district, the homeless child must be allowed to continue to the school designated for matriculation in that school district. The new school is required to enroll the child immediately regardless of any outstanding fees, fines, textbooks or other items or moneys due to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including medical records, proof of immunization history, and proof of residency. (Ed. Code, § 48852.7)

Each local district shall also designate a staff person as the educational liaison for foster children. The educational liaison shall disseminate a standardized notice to foster

children that has been developed by the State Department of Education and includes complaint process information. (Ed. Code, § 48853.5)

The district serving the foster child shall allow the foster child to continue his/her education in the school of origin under specified circumstances. If it is determined that it is in the best interests of the foster child to transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including immunization history. The last school attended must provide all records to the new school within two business days of receiving the request. (Ed. Code, §§ 48853, 48853.5)

The district receiving a transfer request or notification of a student in foster care shall, within two business days, transfer the student out of school and deliver the educational information and records to the next educational placement. Grades and credits will be calculated as of the day the student left school and no lowering of grades will occur as a result of the student's absence due to the decision to change placement or for a verified court appearance or related court activity. (Ed. Code, § 49069.5)

The district shall exempt from local graduation requirements a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or a pupil participating in a newcomer program for recently arrived immigrant pupils and who transfers between schools under certain circumstances. (Ed. Code, §§ 51225.1 51225.2)

A district shall accept coursework done by a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or a pupil in a newcomer program while attending another school. The district is prohibited from requiring those students to retake courses or partial courses they have satisfactorily completed elsewhere. (Ed. Code, § 51225.2)

A complaint of noncompliance alleging violations of these sections, except for Education Code section 48852.7, may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

47. **Migrant Pupil School of Origin:** School District must inform migrant pupils of their ability to continue attending their school of origin as the local school student attended at the time residence changed and the impact of remaining in the school of origin on the eligibility of that pupil to receive migrant education services. Districts will allow the child to continue through the duration of the school year for grades 1 to 8, or through high school graduation if enrolled in grades 9-12. If the residence move is made during matriculation from elementary to middle, or middle to high school, the migratory child

shall be allowed to continue to the school for matriculation in that school district, with immediate enrollment. Transportation is not required to be provided if not already required by federal law.(Ed. Code, § 48204.7(a))

48. **Continued Education Options for Juvenile Court School Students:** A Juvenile court school student, or the person holding the right to make educational decisions for the student, may voluntarily defer or decline issuance of their diploma until after the student is released from the juvenile detention facility, thereby allowing the student to take additional coursework at a local education agency. The county office of education will notify the student, the person holding the right to make educational decisions of the student, and the student’s social worker or probation officer of all of the following:
- a. The student’s right to a diploma;
 - b. How taking coursework and meeting other educational requirements will affect the student’s ability to gain admission to a postsecondary educational institution;
 - c. Information about transfer opportunities available through the California Community Colleges; and
 - d. The option to defer or decline the diploma and take additional coursework. (Ed. Code, §§ 48645.3(a), 48645.7)
49. **Sex Equity In Career Planning:** Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions. (Ed. Code, § 221.5(d))
50. **Pesticide Products:** All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The attached list (page 44-45) provides the name of each pesticide product, the active ingredient(s) and the Internet address for further information. Parents or guardians may request prior notice of individual pesticide applications at the school. If a parent wishes to be notified every time a pesticide is going to be applied, he or she must register with the District’s Maintenance & Operations Department by calling 916-567-5477. A copy of the integrated pest management plan for the District is provided on the District website at <https://natomasunified.org/content/uploads/2018/05/2016-IPM-Plan.pdf> (Ed. Code, §§ 48980.3, 17611.5, 17612)
51. **Pregnant and Parenting Pupils:** All schools are required to provide parents and guardians with annual written notice of pregnant and parenting pupils (Ed. Code, § 222.5) Pregnant and parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health

of their children. "Pregnant or parenting pupil" means a pupil who gives or expects to give birth or a parenting pupil who has not given birth and who identifies as the parent of the infant.

A pregnant or parenting pupil is entitled to, but not required to take, eight weeks of parental leave. This leave may be taken before the birth of the pupil's infant if there is a medical necessity and/or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. A pregnant or parenting pupil is entitled to additional leave if deemed medically necessary by the student's physician. (Ed. Code, §§ 46015)

The person holding the student's educational rights (i.e. the pupil if over 18 or the parent if under 18) may notify the school of the student's intent to exercise this right. Leave may still be taken even if notice was not provided.

During the leave, the student's absences shall be deemed excused, but the student shall not be required to complete academic work or other school requirements.

A pregnant or parenting pupil may return to the school and the course of study in which he or she was enrolled before taking parental leave. Upon return to school after taking parental leave, a pregnant or parenting pupil is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and re enrollment in courses.

A pregnant or parenting pupil may remain enrolled for a fifth year of instruction in the school in which the pupil was previously enrolled when it is necessary in order for the pupil to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the pupil 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.

A student who chooses not to return to the school in which he or she was enrolled before taking the leave is entitled to alternative education options offered by the local educational agency to include educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.

A student will not incur any academic penalties as a result of using the accommodations in this section. (Ed. Code, § 46015)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

52. **Student Parent Lactation Accommodations:** The District is required to provide reasonable accommodations to a lactating student on a school campus to address breast-feeding needs. (Ed. Code, § 222)

A student may not be penalized academically because of the reasonable accommodations provided during the school day. A student must also be given the opportunity to make up missed work.

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

53. **PE Instructional Minutes:**
Students enrolled in grades 1 through 6, as well as students in grades 7 and 8 who are enrolled in an elementary school, shall be provided a minimum of 200 minutes of physical education (PE) instruction each 10 school days exclusive of recesses and the lunch period.

Students enrolled in grades 7 and 8 who attend a middle school or junior high school as well as students enrolled in grades 9 through 12 shall receive a minimum of 400 minutes of PE instruction each 10 school days exclusive of the lunch period.

A complaint of noncompliance regarding the requirements for elementary school students may be filed in accordance with the District's Uniform Complaint Procedures (UCP) as outlined in Administrative Regulation (AR) 1312.3 on Uniform Complaints.

54. **Course Assignments:** A school district is prohibited from assigning a student enrolled in any of grades 9 through 12 to any course period without educational content for more than one week in any semester, except under specified conditions. Under no circumstances can a district assign a student enrolled in any of grades 9 through 12 to a course period without educational content because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.1)

A school district is prohibited from assigning a student enrolled in grades 9 through 12 to a course that the student has previously completed and received a grade determined by the district to be sufficient to satisfy the requirements and prerequisites for admission to the California public postsecondary schools and the minimum high school graduation requirements, except under specified conditions. Under no circumstances can a district assign a student enrolled in any of grades 9 through 12 to a course the student has previously completed and received a sufficient grade, as specified, because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.2)

These sections do not apply to students in alternative schools, community day schools, continuation high schools or an opportunity school. A district may continue to authorize dual enrollment in community college, to run evening high school programs, to offer independent study, work experience education, and other specified courses.

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 51228.3)

55. **Regional Occupational Centers and Programs/County Offices of Education Programs/Adult Education Programs:** A regional occupational center or program, county office of education program, or adult education program must meet specified requirements for certification by the Superintendent of Public Instruction in order to provide an employment training program for adults or to authorize an education program beyond secondary education that leads to a degree or certificate. (Ed. Code, § 52334.7)

A complaint alleging that a local agency violated federal or state laws or regulations governing adult education programs under Education Code section 52501 or regional occupational centers and programs may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. A complaint alleging that a county office of education violated federal or state laws or regulations governing the county office's participation in any student financial assistance program authorized by Title IV may also be filed under the Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

56. **Pupil Fees:** A pupil enrolled in a public school must not be required to pay a pupil fee for participation in an educational activity. (Ed. Code, § 49011)
- a. The following requirements apply to prohibited pupil fees:
- All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.
 - A fee waiver policy shall not make a pupil fee permissible.
 - School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
 - A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents

or guardians did not or will not provide money or donations of goods or services to the school district or school.

- b. Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. School districts, schools, and other entities are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (Ed. Code, § 49010 et seq.)

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code. § 49013)

- 57. **Safe Haven District:** The Board of Trustees of the Natomas Unified School District (NUSD) has declared, through Resolution No. 17-04, that every District site is a Safe Haven, a safe and welcoming place for all students and their families irrespective of immigration status, ethnicity, race, religion, sexual orientation, ability, sex and gender identity, socioeconomic status or beliefs. NUSD will act within legal bounds to protect students and families threatened by hate crimes or deportation based on immigration status. A 1982 U.S. Supreme Court decision requires all public schools to enroll all eligible children regardless of immigration status. Every NUSD student is a valuable part of our district family, and preparing him or her to be a college and career ready, productive, responsible and engaged global citizen is NUSD’s mission. The resolution is consistent with existing Board-approved commitments that all students have a right to attend public schools and receive equal access to educational programs, diversity is a strength, parent participation is encouraged, and that a key District goal is to create safe and welcoming learning environments. The resolution also calls for NUSD to act within legal bounds to prevent and mitigate the collection of information about immigration status, the disclosure of such information, and to support students if immigration enforcement authorities seek to visit a school to interrogate or take a child into custody. NUSD is one of the most diverse school districts in the United States, 30 percent of our students speak more than one language, and this safe haven resolution is consistent with our longtime Core Belief that, “Our diversity is a strength.”

The Resolution and supporting information may be found on our District website.

- 58. **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA):** PPRA affords parents certain rights regarding surveys that ask questions of a personal nature, collection and use of information for marketing purposes, and certain physical exams. A handout notifying parents of these rights is attached (see pages 46-47).
- 59. **Annual Notification Regarding Parental Consent to Bill Medi-cal:** Natomas Unified School District participates in a Federal program called Medicaid School-Based Services. This program assists school districts by providing partial reimbursement for medically related services included in Individual Education Plans (IEP) or Individual Family Service

Plans (IFSP). Although this partial reimbursement is only for students who are Medi-Cal eligible, services are provided to all students with disabilities regardless of their eligibility status. Federal law encourages school districts to submit claims for health-related services provided to special education students or students referred for special education assessments. A handout with additional information is attached (see pages 48-49).

60. **College Admission Requirements and Higher Education Information:** For a list of CSU/UC college requirements and Career Technical Education (CTE) information, read the attached handout (see page 50).
61. **Child Abuse Reporting Guidelines and Procedures:** Child Abuse and when and what to report, can at times be confusing. For a description of what child abuse can be, what child abuse does NOT include, and how to file a complaint of child abuse committed at a school site, can be found on the attached handout (see pages 51-52).
62. **Photo Release Opt-Out Request:** As part of Natomas Unified School District's promotion of school activities and recognition of student achievement, a photograph or video may include your child, either individually or with a group of students engaged in school activities not normally open to the public. Parents or guardians can file a Photo Release Opt-Out Request, available on the district website, if they do not wish to have their child's photographic image appear in district-authorized communications, such as school or district brochures, posters, websites, social media, newsletters, or television. Opt-out requests also serve as a guide for the news media. Filed forms remain in effect for one year. They do not apply to public events – such as team sports, concerts or performances – nor do they prohibit use of photos and videos of your student in student-produced materials, such as yearbooks.

(Attachment for Topic #20)

Notification of Rights Under FERPA For Elementary and Secondary Schools

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

- a. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- b. The right to request amendment of the student's education records that the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise the parent or eligible student of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- c. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School 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 with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll. BP/AR 5125.1

- d. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

BP 5117 (a)

Students

INTERDISTRICT ATTENDANCE

The Governing Board recognizes that parents/guardians of students who reside in one district may, for a variety of reasons, choose to enroll their child in a school in another district.

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5118 - Open Enrollment Act Transfers)

Interdistrict Attendance Permits

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

Transportation

The district shall not provide transportation beyond any school attendance area. Upon request, the Superintendent or designee may authorize transportation for interdistrict transfer students to and from designated bus stops within the attendance area if space is available.

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

- 48300-48316 Student attendance alternatives, school district of choice program
- 48350-48361 Open Enrollment Act
- 48900 Grounds for suspension or expulsion; definition of bullying
- 48915 Expulsion; particular circumstances
- 48915.1 Expelled individuals: enrollment in another district
- 48918 Rules governing expulsion procedures
- 48980 Notice at beginning of term

5117 (b)

INTERDISTRICT ATTENDANCE (continued)

52317 Regional Occupational Center/Program, enrollment of students, interdistrict attendance

ATTORNEY GENERAL OPINIONS

- 87 Ops.Cal.Atty.Gen. 132 (2004)
- 84 Ops.Cal.Atty.Gen. 198 (2001)

COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192 Cal.App.4th 234

Management Resources:

CSBA PUBLICATIONS

Transfer Law Comparison, Fact Sheet, March 2011

WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education: <http://www.cde.ca.gov>

- 7/14/93, 2/95
- (10/93 2/95) 7/04
- 8/10/05, 11/07
- 4/9/08
- 5/11
- 12/12
- 6/22/16
- 2/13/18

BP 5116.1(a)

Students

INTRADISTRICT OPEN ENROLLMENT

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also balancing enrollment in order to maximize the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district. (Ed. Code, § 35160.5)

The Board shall annually review this policy. (Ed. Code, §§ 35160.5, 48980)

Enrollment Priorities

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Ed. Code, § 35160.5)

The Superintendent or designee shall grant priority to any district student to attend another district school, including a charter school, outside of his/her attendance area as follows:

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment List. (Ed. Code, § 48354)
2. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous." (20 U.S.C § 7912; 5 CCR 11992)
3. Any student who is a victim of a violent crime while on school grounds. (20 U.S.C § 7912)
4. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances, include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers.

To grant priority under these circumstances, the Superintendent or designee must have received either: (Ed. Code, § 35160.5)

INTRADISTRICT OPEN ENROLLMENT (continued)

- a. A written statement from a representative of an appropriate state or local agency, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction
5. Any sibling of a student already in attendance in that school.
6. Any student whose parent/guardian is assigned to that school as his/her primary place of employment.

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between November 1 and January 31 of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space. (Ed. Code, § 35160.5)

Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity. (Ed. Code, § 35160.5)

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Ed. Code, § 35160.5)

- (cf. 5117 - Interdistrict Attendance)*
(cf. 5111.1 - District Residency)
(cf. 5116 - School Attendance Boundaries)
(cf. 5118 - Open Enrollment Act Transfers)

BP
5116.1(c)

INTRADISTRICT OPEN ENROLLMENT (continued)

(cf. 0450 - Comprehensive Safety Plan)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 3540 - Transportation)

Legal Reference:

EDUCATION CODE

200 Prohibition against discrimination

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act

48980 Notice at beginning of term

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

6316 Transfers from program improvement schools

7912 Transfers from persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information

200.37 Notice of program improvement status, option to transfer

200.39 Program improvement, transfer option

200.42 Corrective action, transfer option

200.43 Restructuring, transfer option

200.44 Public school choice, program improvement schools

200.48 Transportation funding for public school choice

COURT DECISIONS



Connecting students to their future

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275
ATTORNEY GENERAL OPINIONS
85 Ops.Cal.Atty.Gen. 95 (2002)

BOARD OF TRUSTEES

Jag Bains
Scott Dosick
Micah Grant
Susan Heredia
Lisa Kaplan

Chris Evans, Superintendent

Management Resources:

U.S. DEPARTMENT OF EDUCATION NON REGULATORY GUIDANCE
Public School Choice, January 2009
Unsafe School Choice Option, May 2004

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Unsafe School Choice Option:

<http://www.cde.ca.gov/ls/ss/se/usco.asp>

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

(2/95 10/95) 11/99
3/8/00
(11/99 3/03) 11/08
6/17/09
10/11
3/8/17

(Attachment for Topic #27)

POLICY ON SEXUAL HARASSMENT

Nondiscrimination

The Natomas Unified School District Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular and other educational support programs, services and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying targeted at any student by anyone based on the student's actual or perceived race, color, ancestry, national origin, immigration status, nationality, ethnicity, ethnic group identification, age, religion, marital status, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression or genetic information or association with a person or group with one or more of these actual or perceived characteristics.

In addition, NUSD applies no rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex, does not exclude or deny any student from any educational program or activity solely on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, pregnant students and parenting male or female students are not excluded from participation in their regular school programs or required to participate in pregnant-student programs or alternative educational

programs, Pregnant/parenting students who voluntarily participate in alternative programs are given educational programs, activities, and courses equal to the regular program and NUSD treats pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability. California law prohibits gender-based discrimination in public schools including gender identity and gender expression. (Ed. Code, § 220.)

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school related or school-sponsored activities but which may have an impact or create a hostile environment at school.

Any student who engages in discrimination may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in unlawful discrimination may be subject to disciplinary action up to and including dismissal.

Sexual Harassment

The District has adopted a strict policy containing rules and procedures for reporting sexual harassment and pursuing remedies and is committed to maintaining an educational environment that is free from harassment, including school, school-sponsored, school-related activities or off-campus sexual harassment that has a continuing effect on campus.

The Governing Board prohibits unlawful sexual harassment of or by anyone (including students and employees) in or from the district. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical contact of a sexual nature made by someone from or in the work or educational setting. Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account. Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and applicable collective bargaining agreements.

To File a Complaint

Any student, staff member, or parent who feels that unlawful discrimination or sexual harassment has occurred should immediately contact a teacher, the school principal, any other available school employee, and/or district Compliance Officer. A formal complaint may be initiated at the school or by directly contacting the district Compliance Officer.

1. **Filing a Complaint:** Complaints should be filed in writing and signed by the complainant. Submit the complaint to the school principal or Title IX/Compliance Officer.
2. **Investigation:** The District will investigate the complaint and provide a written report of the investigation and decision within 60 days of when the complaint is filed.
3. **Appeals:** If the person making the complaint disagrees with the District's decision, he/she has 15 days to appeal the decision to the California Department of Education.
4. A person filing a complaint may also seek civil law remedies, subject to certain time lines.
5. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Complaints will be kept as confidential as appropriate.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

If you have a complaint, contact a teacher, principal, site administrator, or:

Angela Herrera, Chief Academic Officer
1901 Arena Blvd., Sacramento, CA 95834
customerservice@natomasunified.org
916-561-5253

Students

BP 5145.7(a)

SEXUAL HARASSMENT

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint, testifies about, or otherwise participates in district complaint processes.

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

The Superintendent or designee shall take appropriate action to reinforce the districts' sexual harassment policy.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstances.
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained.
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will

BP
5145.7(b
)

SEXUAL HARASSMENT (continued)

be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.

6. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students.
7. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.
8. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues.
9. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment

and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment.

Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 – Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

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

(cf. 5144 – Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

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

BP 5145.7(c)

SEXUAL HARASSMENT (continued)

(cf. 4117.7 – Employment Status Report)

(cf. 4118 – Dismissal/Suspension/Disciplinary Action)

(cf. 4218 – Dismissal/Suspension/Disciplinary Action)

(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)

Record-Keeping

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

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of Laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

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

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Education Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

SEXUAL HARASSMENT (continued)

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance, January 2001

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

(2/97 6/99) 11/01 7/24/02
3/10
7/12
6/22/16
3/8/17

SPEAK UP! REPORT DISCRIMINATION / HARASSMENT

The Natomas Unified School District desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular and other educational support programs, services, and activities.

What is discrimination / harassment?

Discrimination, including discriminatory harassment, intimidation and bullying targeted at any student by anyone based on the student's actual or perceived race, color, ancestry, national origin, immigration status, nationality, ethnicity, ethnic group identification, age, religion, marital status, pregnancy or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression or genetic information or association with a person or group with one or more of these actual or perceived characteristics.

What do I do if I experience or witness discrimination / harassment?

Immediately report the incident verbally or in writing, to your teacher, principal, any other staff member, or parent.

School staff will immediately intervene to stop the incident when it is safe to do so and will also report the incident information to the principal or the District's Nondiscrimination / Harassment Compliance Officer.

Who do I contact if I have concerns about a school or district implementation of the nondiscrimination / harassment policies?

Request a meeting with the District's Nondiscrimination / Harassment Compliance Officer:

Angela Herrera, Chief Academic Officer
1901 Arena Boulevard Sacramento, CA 95834
(916) 561-5253
customerservice@natomasunified.org

At the meeting the compliance officer will determine how to best accommodate or resolve concerns that may arise regarding the nondiscrimination / harassment policies. To the extent possible, the compliance officer will address any individual student's interest and concerns in private.

NUSD RESOURCE

Board Policy and Administrative Regulation 5143.3 - Nondiscrimination/Harassment

(Attachment for Topic #32)

UNIFORM COMPLAINT PROCEDURES

Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying:

State and federal law prohibit discrimination in education programs and activities. The District is primarily responsible for compliance with federal and state laws and regulations. (Cal. Code Regs. tit. 5, § 4620.)

Under state law, all pupils have the right to attend classes on school campuses that are safe, secure, and peaceful. (Ed. Code, § 32261.) State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of their actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), actual or potential parental, family, or marital status, pregnancy (including childbirth, false pregnancy, termination of pregnancy, or recovery therefrom), nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics. (Ed. Code, §§ 210-214, 220 et seq., 234 et seq., Cal. Code Regs., tit. 5, § 4900 et seq., 20 U.S.C. § 1681 et seq., 29 U.S.C. § 794, 42 U.S.C. § 2000d et seq., 42 U.S.C. § 12101 et seq., 34 C.F.R. § 106.9) The Natomas Unified School District Board

prohibits, at any district school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

California law prohibits gender-based discrimination in public schools including gender identity and gender expression. (Ed. Code § 220.) This policy shall apply to all acts related to school activity or to school attendance occurring within the district school. In addition to being the subject of a complaint, a pupil engaging in an act of bullying as defined by Education Code section 48900(r) may be suspended from school or recommended for expulsion.

The LEA will investigate all allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

The District's Uniform Complaint Procedure may be used in cases where individuals or a group have suffered discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, §§ 4610, 4630, 4650, Ed. Code, §§ 234 et seq., 48900(r)) Complainants are protected from retaliation, and the identity of a complainant alleging discrimination (harassment, intimidation, or bullying) will remain confidential as appropriate. For complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district's nondiscrimination policies, the District designee is: Angela Herrera, Chief Academic Officer, 1901 Arena Blvd, Sacramento CA, 95834. Contact number: 916-561-5253.

- a. Any individual, public agency or organization has the right to file a written complaint alleging that he/she has personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs., tit. 5, § 4630(b)(1))
- b. Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)
- c. Complaints must usually be filed with the superintendent/designee of the District.

- d. Discrimination complaints must be filed within six (6) months of the date the alleged discrimination, harassment, intimidation or bullying occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination. Within that six (6) month period, complainant may file a written request with the district superintendent or designee for an extension of up to ninety (90) days following the six (6) month time period. Extensions will not be automatically granted, but may be granted for good cause. (Cal. Code Regs., tit. 5, § 4630(b))
- e. Complainants have the right to pursue civil law remedies under state or federal discrimination, (harassment, intimidation, or bullying) laws.
- f. The LEA 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 Ed. Code, §§ 48853, 48853.5, 49069.5, 51225.1 and 51225.2.

Complaints Other Than Discrimination, Harassment, Intimidation, and Bullying:

The District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination, harassment, intimidation, and bullying.

- a. Written complaints may be made regarding all programs and activities including:
 - Adult Education
 - After School Education and Safety
 - Agricultural Career Technical and/or Vocational Education
 - American Indian Education Centers and American Indian Early Childhood Education
 - Bilingual Education
 - California Peer Assistance and Review Programs for Teachers
 - Consolidated Categorical Aid Programs
 - Career Technical and Technical Education, and Technical Training
 - Child Care and Development
 - Child Nutrition

 - Compensatory Education
 - Continued Education Options for Former Juvenile Court School Students
 - Course Assignments already Completed or without Educational Content
 - Economic Impact Aid
 - Every Student Succeeds Act (formerly No Child Left Behind)

- Foster Youth, Homeless Youth, former Juvenile Court School Student Services, Migrant Youth and Pupils of Military Families
- Health and Safety in a California State Preschool Program
- Local Control Funding Formula (LCFF) and Local Control and Accountability Plan (LCAP)
- Migrant Child Education Programs
- Physical Education Instructional Minutes
- Pregnant and Parenting Pupils, including parental leave
- Pupil Fees
- Regional Occupational Centers and Programs
- School Plans for Student Achievement (SPSA)
- School Safety Plans
- Special Education
- Student Parent Lactation Accommodations
- Tobacco-use Prevention Education
- "Williams Complaints"
- Any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code section 64000
- Any other educational programs the Superintendent deems appropriate

(Cal. Code Regs., tit. 5, §§ 4610(b), 4622, 4630, Ed. Code, §§ 222, 4845.7, 8200-8498, 8500-8538, 32289, 33315, 33380-33384, 35186, 41500-41513, 46015, 47606.5, 47607.3, 48853.5, 49013, 49069.5, 49490-49590, 49701 51210, 51223, 51225.1, 51225.2, 51226-51226.1, 51228.1, 51228.2, 51228.3, 52060-52075, 52160-52178, 52300-52490, 52334.7, 52500-52616.24, 52800-52870, 54000-54029, 54400-54425, 54440-54445, 54460-54529, 56000-56867, 59000-59300, and 64001, 20 U.S.C. §§ 1400, 4600, 6601, 6801, 7101, 7201, 7301 et. seq., Health and Saf. Code, §§ 1596.792, 1596.7925, 104420)

Any individual, public agency or organization has the right to file a written complaint alleging that the District has violated a federal or state law or regulation governing any program listed in the bulleted items above. (Cal. Code Regs., tit. 5, § 4630(b)(1))

Copies of the District's complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)

Complaints must usually be filed with the superintendent or designee of the District under the timelines established by District policy. (Cal Code Regs., titl.5, § 4630(b))

Within 60 days from the date of receipt of the complaint, the District's responsible officer or his/her designee shall conduct and complete an investigation of the complaint in accordance with local procedures adopted pursuant to California Code

of Regulations, title 5, section 4621 and prepare a written decision. The time period may be extended by mutual written agreement of the parties.

- b. Williams Complaints: Complaints, including anonymous complaints, may be made and addressed on a shortened timeline for the following areas: (Ed. Code, § 35186)
- Insufficient textbooks and instructional materials;
 - Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils;
 - Noncompliance with the requirement of Education Code section 35292.6 to stock, at all times, at least half of the restrooms in the school with feminine hygiene products and to not charge students for the use of such products;
 - Teacher vacancy or miss-assignment; or
 - Noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code section 1596.7925 and related state regulations.

A complaint of noncompliance with Education Code section 35186 may be filed with the school principal or designee under the Uniform Complaint Procedures. A complainant not satisfied with the resolution of a Williams Complaint has the right to bring the complaint to the district governing board at a regularly scheduled hearing. In the case of a complaint regarding emergency or urgent school facilities conditions, a complainant has the right of appeal to the State Superintendent of Public Instruction.

- c. Pupil Fees Complaints: A pupil enrolled in our district shall not be required to pay a pupil fee for participation in an educational activity, including curricular and extracurricular activities.

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, as a condition for participation in a class or an extracurricular activity, as a security deposit to obtain materials or equipment, or a purchase that a pupil is required to make to obtain materials or equipment for an educational activity.

A complaint of noncompliance with Education Code section 49010 et seq. may be filed with the school principal under the Uniform Complaint Procedures. A complaint shall be filed not later than one calendar year from the date the alleged violation occurred. A pupil fees or LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

- A complainant not satisfied with the decision of the school may appeal to the California Department of Education by filing a written appeal within 15

days of receiving the decision and will receive a written appeal decision within 60 days of the department's receipt of the appeal.

- If the school finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school must provide a remedy to all affected pupils, parents, and guardians that, where applicable, includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
- d. Foster, homeless, former juvenile court pupils and pupils in military families: the District will 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.

Responsible Official: The District official responsible for processing complaints is listed below at the following address:

Angela Herrera, Chief Academic Officer
1901 Arena Boulevard, Sacramento, CA 95834
customerservice@natomasunified.org
916-561-5253

Complaints Made Directly to the State Superintendent:

Complaints may be filed directly with the State Superintendent of Public Instruction in the following cases:

- Complaints alleging that the District failed to comply with the complaint procedures described herein, including failure or refusal to cooperate with the investigation.
- Complaints regarding Child Development and Child Nutrition programs not administered by the District.
- Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.
- Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.
- Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.
- Complaints alleging immediate and irreparable harm as a result as of applying a district-wide policy in conflict with state or federal law and that complaining at the local level would be futile.
- Complaints relating to Special Education, but only if:

- a. District unlawfully refuses to provide a free appropriate public education to students identified as requiring Special Education; or
 - b. District refuses to comply with due process procedures or fails to implement due process hearing order; or
 - c. Children may be in immediate physical danger, or their health, safety or welfare is threatened; or
 - d. A student identified as requiring Special Education is not receiving the services specified in his/her Individual Educational Program (IEP); or
 - e. The complaint involves a violation of federal law.
- The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District.
(Cal. Code Regs., tit. 5, §§ 4630, 4650)

Appeals:

- a. Except for Williams Complaints, a complainant may appeal the District's decision to the California Department of Education. (Ed. Code, § 262.3(a), Cal. Code Regs., tit. 5, § 4632)
 - Appeals must be filed within fifteen (15) days of receiving the District decision.
 - Appeals must be in writing.
 - Appeals must specify the reason(s) for appealing the District decision, including whether the facts are incorrect and/or the law has been misapplied.
 - Appeals must include a copy of the original complaint and a copy of the District decision.
 - Pupil fee complaints appeal to the California Department of Education will receive a written appeal decision within 60 days of the department's receipt of the appeal.
 - If the school/District finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school/District must provide a remedy to all affected pupils, parents, and guardians. For pupil fee complaints, this includes reasonable effort by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.
- b. If a complaint is denied, in full or in part, by the Department of Education, the complainant may request reconsideration by the State Superintendent of Public Instruction. (Cal. Code Regs., tit. 5, § 4665)
 - Reconsideration must be requested within thirty-five (35) days of receiving the Department of Education report.
 - The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

Civil Law Remedies:

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (Ed. Code, § 262.3(b), Cal. Code Regs., tit. 5, § 4622)

(Attachment for Topic #33)

HEALTHY SCHOOLS ACT OF 2000

Notice to all students, parents/guardians and employees of the Natomas Unified School District:

Assembly Bill 2260 went into effect on January 1, 2001. This legislation enacted Education Code sections 17608 et seq. which require, among other things, that school districts notify parents and staff about the use of pesticides at school. The purpose of this legislation is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, see list on the following page.

Parents/guardians of the Natomas Unified School District can register with the District's Maintenance and Operations Department to receive notification of individual pesticide applications by calling 916-567-5477. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

If you wish to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code section 13184, you can do so by accessing the Department's web-site at www.cdpr.ca.gov.

The Natomas Unified School District expects to use the following pesticides at its campuses during the upcoming year:

Product Name	EPA Registration No.		Active Ingredients
Advance 375 A	499-370		Abamectin
Alpine	499-531		Dinotefuran
Alpine WSG	499-561		Dinotefuran
Avert Roach Gel	9444-135		Orthoboric Acid
Bifen LP	499-410		Abarnectin B1)
Bifenl/T	53883-118		Bifenthrin
Borid	9444-129		Orthoboric Acid
Catalyst	239-2651		Propetamphos/Methylethyl/Methoxyphos phinothioy
Contract	12455-79		Bromadiolone
Cy kick Cs	499-303		Cyfluthrin
Cynoff	279-3081		Cypermethrin
Demand Cs	10182-361		Lambda-cyhalothrin
Diphacinone	36029-17		Diphenylacety/Indandion
Dragnet	279-3062		Permethrin
Gentrol	2724-351		Hydroprene
Gopher Getter	P22202VS		Strychnine Alkaloidlmidacloprid
Gordon's TRIMEC Classic Brand Broadleaf Herbicide	2217-543		Dimethylamine Salt of 2,4-dichlorophenoxyacetic acid/Dimethylamine Salt of 3,6-dichloro-o-anisic acid/Dimethylamine Salt of \$(+)-2-(2Mrthyl-4-chlorophenoxy) propionic acid (MCP)
Masterline	73748-7		Bifenthrin
Maxforce ant bait stations	64248-10		Fipronil
Maxforce ant gel	64248-21		Bifenthrin
Maxxthor SC	81824-5		Bifenthrin
Maxxthor SG	81824-3		Bifenthrin
Microcare	499-516		Pyrethrins/Piperonyl Butoxide/Technica
Phantom	241-382		Chlorfenapyr
Precor	2724-352-ZA-508		Methoprene
Ranger PRO Herbicide	524-517		Isopropylamine salt of N-(phosphonomethyl) glycine; {Isopropylamine salt of glyphosate}
Ripide	1021-1785		Pyrethrins/Piperonyl Butoxide/Glycol Ethers
Seige PMS	241-313-9444		Hydramethnylnon
Sluggo	67702-3-54705		Iron Phosphate
Suspend	432-763		Deltamethrin
Talon G	10182-336		Brodifacoum
Talpirid	12455-101		Bromethalin
Tempo 20 WP	3125-380		Cyfluthrin/Cyano/Methyl/Dimethylcyclopropane Carboxylate



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 Susan Heredia
 Lisa Kaplan

Chris Evans, Superintendent

Termidor	432-901		Fipronil
Terro	149-8		Sodium Tetraborate Decahydrate
Wasp Freeze	499-362		Phenoxybenzyl/d-trans Allethrin

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.

- Receive notice and an opportunity to opt a student out of:
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

- Inspect, upon request and before administration or use:
 1. Protected information surveys of students;

2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the education curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Natomas Unified School District has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Natomas Unified School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. Natomas Unified School District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Natomas Unified School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any unprotected information survey not funded in whole or in part by the Department of Education.
- Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

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

(Attachment for Topic #57)

Annual Notification Regarding Parental Consent to Bill Medi-Cal

Natomas Unified School District participates in a Federal program called Medicaid School-Based Services. This program assists school districts by providing partial reimbursement for medically related services included in Individual Education Plans (IEP) or Individual Family Service Plans (IFSP). Although this partial reimbursement is only for students who are Medi-Cal eligible, services are provided to all students with disabilities regardless of their eligibility status. Federal law encourages school districts to submit claims for health-related services provided to special education students or students referred for special education assessments.

Natomas Unified School District may submit claims to Medi-Cal for health-related services required by an Individual Education Plan (IEP) that are provided by our qualified staff to Medi-Cal eligible students.

In 2013, the IDEA, Part B regulations regarding parental consent for the use of public benefits to pay for services under the IDEA has changed. Prior to accessing a child's public benefits or insurance for the first time and annually thereafter, school districts must provide parents/guardians written notification.

Here is what this all means:

There is no cost to you. IEP/IFSP services are provided to students while they are at school at NO cost to the parent/guardian.

School based Medi-Cal claiming will NOT impact your family's Medi-Cal benefits. The school based services program does NOT impact a family's Medi-Cal services, change eligibility, and affect benefits or count against funding limits in Medi-Cal programs in which your child may be enrolled.

What type of school based services are covered? Assessments and therapy services for
*Speech and Language/Audiology *Occupational Therapy *Physical Therapy *
Psychological/Social work * Nursing services * Special Education Transportation * Case
Management

What type of information about your child will be shared?

In order to submit claims for reimbursement, the following types of records *may* be required: student name, date of birth, Student ID or Medi-Cal ID, service dates and types of services delivered.



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Micah Grant
Susan Heredia
Lisa Kaplan

Chris Evans, Superintendent

Who will see this information? Information about your child’s School-based services may be shared with Medi-Cal and its affiliates for the purpose of verifying Medi-Cal eligibility and submitting claims.

What if you change your mind? You have the right to withdraw consent to disclose your child’s personally identifiable information to Medi-Cal and its affiliates at any time.

Your consent or refusal will not affect your child’s services. Regardless of whether you have Medi-Cal Coverage or not (and whether you provide consent or not) the school district will continue to provide services to your child pursuant to their IEP or IFSP. You are not required to sign up for or enroll in public benefits or insurance program in order for your child to receive FAPE under Part B.

Please contact the Natomas Unified School District Special Education Department at 916-567-5434 with any questions or concerns that may arise.



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Lisa Kaplan

Chris Evans, Superintendent

Natomas Unified School District Parental Consent to Bill Medi-Cal

Dear Parent/ Guardian of _____:

This is to ask your permission (consent) to bill Medi-Cal for Medi-Cal reimbursable services that are on your child's individualized education program (IEP). Natomas Unified School District routinely accesses Medi-Cal funding to help meet costs of providing special education services. Please read and confirm the following information:

I, _____ as the parent/guardian of _____
(Print child's name)

give permission for Natomas Unified School District to submit claims to Medi-Cal for all Medicaid eligible services listed on my child's IEP dated _____.

I understand that the use of Medi-Cal insurance for special education services will not decrease the available lifetime coverage, increase premiums or lead to the discontinuation of benefits, result in my family paying for other services required for my child outside of school that would otherwise be covered by the Medicaid program or otherwise diminish my family's insured benefits under the Medicaid program and that I will not incur an out-of-pocket expense such as payment of a deductible or co-pay amount.

I give my consent voluntarily and understand that I may withdraw my consent at any time. I also understand that my child's entitlement to a free appropriate public education (FAPE) is in no way dependent on my granting consent and that, regardless of my decision to provide this consent; all the required services on my child's IEP will be provided to my child at no cost to me.

Parent/Guardian Signature: _____ Date: _____

College Admission Requirements and Higher Education Information

University of California/California State University Minimum College Admissions Requirements:

"A-G" Courses	Subject	CSU/UC Requirements
A	History/Social Science	2 years required
B	English	4 years required
C	Mathematics	3 years required (e.g., Math I, Math II, Math III), 4 years recommended
D	Laboratory Science	2 years required (e.g., Biology, Chemistry and Physics), 3 years recommended
E	Language Other Than English	2 years required, 3 years recommended
F	Visual and Performing Arts (VPA)	1 year required
G	College-Preparatory Elective	1 year required

To learn more about college admission requirements, and for a list of District courses that have been certified by the University of California as satisfying the requirements for admission to the UC and CSU, please contact your school counselor.

Career Technical Education (CTE): CTE may be offered by the District as career and workforce preparation for high school students, preparation for advanced training, and the upgrading of existing skills. CTE provides high school students who are 16 years of age or older with valuable career and technical education so students can: (1) enter the workforce with skills and competencies to be successful; (2) pursue advanced training in postsecondary educational institutions; or (3) upgrade existing skills and knowledge. A CTE course may also satisfy a graduation requirement and a subject matter requirement for admission to the UC and CSU.

Students are encouraged to meet with school counselors to help them choose courses at their school that will meet college admission requirements or to enroll in career technical education courses, or both.

Child Abuse Reporting Guidelines and Procedures

The following information will assist parents and guardians in determining whether or not child abuse has occurred and, if so, how to file a complaint of child abuse with local law enforcement. This information has been taken from the California Child Abuse and Neglect Reporting Act in the California Penal Code and from sections of the California Education Code.

Child Abuse Can Be Any of the Following:

- A physical injury which is inflicted on a child by another person other than by accidental means.
- The sexual abuse, assault, or exploitation of a child, such as:
 - The negligent treatment or maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare, whether the harm or threatened harm is from acts or omissions on the part of the responsible person;
 - The willful infliction upon a child of any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition; or
 - The willful harming or injuring of a child or endangering of the person or the health of a child where the person responsible for the child's welfare is a licensee, administrator, or employee of any facility licensed to care for children or an administrator or employee of a public or private school or other institution or agency.

Child Abuse Does *Not* Include:

- A mutual fight between minors;
- An injury that is caused by the actions of a peace officer using reasonable and necessary force within the scope of his or her employment; or
- An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:
 - To stop a disturbance threatening physical injury to people or damage to property;
 - For purposes of self-defense;
 - To obtain possession of weapons or other dangerous objects within control of a pupil; or
 - To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

How to File a Complaint of Child Abuse Committed at a School Site

Parents and guardians of pupils have the right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. To file a complaint, the parent or guardian must file a formal report with an appropriate local law enforcement agency. An appropriate law enforcement agency may be one of the following:

- A Police or Sheriff's Department (not including a school district police department or school security department)
- A County Probation Department if designated by the county to receive child abuse reports, or
- A County Welfare Department/County Child Protective Services.

The complaint may be filed over the telephone, in person, or in writing. A complaint may also be filed at the same time with your school district or county office of education. School districts and county offices of education, however, do not investigate child abuse allegations.

The local law enforcement agency is required to investigate all complaints.

In addition, if the child is disabled and enrolled in special education, a separate complaint may be filed by the parent or guardian with the California Department of Education (CDE) according to Title 5 of the California Code of Regulations section 4650(a)(7)(C). The CDE does not, however, investigate allegations of child abuse but rather investigates the conditions that may involve immediate physical danger or threaten the health, safety, or welfare of the child or children or which may result in denial of a free and appropriate public education.

If the complaint of child abuse is "substantiated" or confirmed by the local law enforcement agency, meaning that the report of child abuse or neglect, as determined by the law enforcement investigator who conducted the investigation, is, based upon the evidence, more likely to have occurred than not, then a report of the investigation will be transmitted by the law enforcement agency to the governing board of the local school district or County Office of Education. A confirmed report of child abuse or neglect received by a governing board of a school district or County Office of Education will be subject to the provisions of California Education Code section 44031, which gives school employees certain rights regarding personnel information and records.

In addition, a confirmed report shall be forwarded by the law enforcement agency that investigated the complaint to the California Department of Justice according to California Penal Code section 11169 and notice will be provided to the alleged child abuser that he or she has been reported to the Child Abuse Central Index, as maintained by the Department of Justice.

This guidance is mandatory only to the extent that it cites a specific statutory and/or regulatory requirement. Any portion of this guidance that is not supported by a specific statutory and/or



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regulatory requirement is not prescriptive pursuant to California Education Code section 33308.5.

BOARD OF TRUSTEES

Jag Bains
Scott Dosick
Micah Grant
Susan Heredia
Lisa Kaplan

Chris Evans, Superintendent



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NATOMAS UNIFIED SCHOOL DISTRICT

2020-2021

Acknowledgement of Parent or Guardian of Annual Rights Notification

Detach, sign, and return this page to your child’s school indicating you have received the Parent Notice of Rights and Responsibilities.

Student’s Name	School	Grade
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I hereby acknowledge receipt of information regarding my rights, responsibilities, and protections.

Parent/Guardian Name	Signature	Date
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The Parent Rights and Responsibilities is available on the Natomas Unified School District website at



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<https://natomasunified.org/office-of-the-cao/school-safety-and-student-behavior/>

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