

**CAMPBELL UNION HIGH SCHOOL DISTRICT**  
**NOTICE OF RIGHTS AND RESPONSIBILITIES OF PARENTS/GUARDIANS**

**TABLE OF CONTENTS**

<b>A.</b>	<b>STUDENT DISCIPLINE AND ATTENDANCE</b> .....	1
1.	RULES REGARDING DISCIPLINE .....	1
2.	REQUIRED ATTENDANCE BY PARENT/GUARDIAN .....	1
3.	ATTENDANCE OPTIONS.....	1
	(a) General Attendance Options.....	1
	(b) Children of Military Service Members.....	1
	(c) Children of Military Service Members / Residency Retention and Matriculation .....	1
	(d) Foster Children .....	2
	(e) Residency Retention for the Students of Detained or Deported Parents.....	2
4.	TEMPORARY DISABILITIES.....	2
5.	ALTERNATIVE SCHOOLS .....	3
6.	EXCUSED ABSENCES.....	3
7.	ABSENCE FOR RELIGIOUS PURPOSES.....	4
8.	MINIMUM AND STAFF DEVELOPMENT DAYS. ....	4
<b>B.</b>	<b>STUDENT HEALTH AND WELLNESS</b> .....	4
1.	SEXUAL HARASSMENT .....	4
2.	CONFIDENTIAL MEDICAL SERVICES.....	4
3.	IMMUNIZATION FOR SCHOOL ADMISSION .....	4
4.	IMMUNIZATION FOR COMMUNICABLE DISEASE.....	4
5.	ADMINISTRATION OF MEDICATION AT SCHOOL .....	4
6.	AUTO-INJECTABLE EPINEPHRINE/INHALED ASTHMA MEDICATION .....	5
7.	CONTINUING MEDICATION REGIME.....	5
8.	EXEMPTION FROM PHYSICAL EXAMINATION .....	5
9.	MEDICAL COVERAGE FOR ATHLETIC ACTIVITIES AND INJURIES .....	5
10.	NUTRITION PROGRAM.....	5
11.	SAFE AND DRUG-FREE SCHOOLS PROGRAM .....	5
12.	PESTICIDE USE NOTIFICATION.....	5
13.	ASBESTOS .....	5
<b>C.</b>	<b>STUDENT RECORDS</b> .....	6
1.	MAINTENANCE OF RECORDS .....	6
2.	CONSENT TO DISCLOSURE .....	6

3.	RIGHT TO PRIVACY .....	6
4.	RIGHT TO REVIEW AND INSPECT RECORDS .....	7
5.	COPY OF RECORDS .....	7
6.	REVIEW AND EXPUNGEMENT OF RECORDS .....	7
7.	CHALLENGE OF STUDENT RECORDS.....	7
8.	RELEASE OF DIRECTORY INFORMATION .....	7
9.	COMPLAINTS.....	8
10.	TRANSFER OF STUDENT RECORDS .....	8
<b>D.</b>	<b>STUDENT INSTRUCTION</b> .....	<b>8</b>
1.	EDUCATION PROJECT OR TEST INVOLVING ANIMALS .....	8
2.	INDIVIDUAL INSTRUCTION DURING TEMPORARY DISABILITY .....	8
3.	MISSED ASSIGNMENTS AND TESTS.....	8
4.	SERVICES FOR STUDENTS WITH EXCEPTIONAL NEEDS OR A DISABILITY .....	8
5.	COMPREHENSIVE SEXUAL HEALTH AND HIV PREVENTION EDUCATION .....	9
6.	STUDENT SURVEYS, TESTS AND QUESTIONNAIRES ON HEALTH BEHAVIORS AND RISKS.....	9
7.	COURSE FAILURE.....	9
8.	COURSE DESCRIPTION.....	9
9.	ADVANCED PLACEMENT EXAMINATION FEES .....	9
10.	GRADUATION REQUIREMENTS .....	9
11.	COLLEGE ADMISSION REQUIREMENTS/CAREER TECHNICAL EDUCATION .....	9
12.	EXEMPTION FROM STUDENT ASSESSMENTS.....	10
13.	CAREER COUNSELING AND COURSE SELECTION.....	10
14.	TEACHER QUALIFICATIONS .....	10
<b>E.</b>	<b>NON-DISCRIMINATION</b> .....	<b>10</b>
1.	NON-DISCRIMINATION .....	10
2.	ACCESS TO PROGRAMS, ACTIVITIES AND FACILITIES BASED ON GENDER IDENTITY .....	10
3.	NON-DISCRIMINATION WITH RESPECT TO DISABLED INDIVIDUALS.....	10
4.	IMMIGRATION ENFORCEMENT – “KNOW YOUR RIGHTS” .....	11
<b>F.</b>	<b>COMPLAINTS</b> .....	<b>11</b>
1.	MISCELLANEOUS COMPLAINTS.....	11
2.	UNIFORM COMPLAINT PROCEDURES.....	11
	(a) Compliance Officer .....	11
	(b) Civil Law Remedies .....	11
	(c) Appeal Process .....	11
	(d) Complaint Review.....	11
	(e) State Intervention .....	12
	(f) Specific Complaints .....	12
3.	WILLIAMS UNIFORM COMPLAINT PROCEDURES.....	14

Attachment 1 .....15  
Attachment 2 .....16  
Attachment 3 .....17  
Attachment 4 .....20  
Attachment 5 .....21  
Attachment 6 .....22  
Attachment 7 .....27

## CAMPBELL UNION HIGH SCHOOL DISTRICT

### NOTICE OF RIGHTS AND RESPONSIBILITIES OF PARENTS/GUARDIANS

The following is a list of the rights and responsibilities you have as a parent or legal guardian of a child in public school. The rights and responsibilities listed are granted by federal or state laws, regulations and court decisions. Please read each section carefully.

#### **A. STUDENT DISCIPLINE AND ATTENDANCE**

- 1. RULES REGARDING DISCIPLINE.** A parent/guardian has the right to obtain a copy of the Governing Board's rules and regulations on student discipline. (Ed. Code, § 35291.)
- 2. REQUIRED ATTENDANCE BY PARENT/GUARDIAN.** A parent/guardian may be required to attend his or her child's class if the student is suspended for unruly or disruptive conduct. (Ed. Code, §§ 48900.1 and 48914 and Lab. Code, § 230.7.)
- 3. ATTENDANCE OPTIONS.**
  - (a) General Attendance Options.** 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 student is placed within District boundaries in a regularly established licensed children's institution, licensed foster home, or family home pursuant to a court-ordered commitment or placement (Ed. Code, § 48204(a)(1)(A)); (3) the student has been admitted through an interdistrict attendance option, such as an interdistrict attendance agreement, interdistrict transfer, or Open Enrollment Act transfer (Ed. Code, §§ 46600, 48301, 48356); (4) the student is an emancipated minor residing within District boundaries (Ed. Code, § 48204(a)(4)); (5) the student lives with a caregiving adult within District boundaries and the caregiving adult submitted an affidavit (Ed. Code, § 48204(a)(5)); (6) the student resides in a state hospital within the District (Ed. Code, § 48204(a)(6)); (7) the student is in a hospital or other residential health facility, excluding a state hospital, in the District for treatment of a temporary disability (Ed. Code, § 48207); or (8) the student's parent/guardian resides outside the District but is employed within District boundaries and lives with the student at the place of employment 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(b).)
  - (b) Children of Military Service Members.** A student complies with the District's residency requirements for school attendance if the student's parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. The District will accept applications by electronic means for enrollment, including enrollment in a specific school or program within the District, and course registration. The parent must provide proof of residency in the District within 10 days after the published arrival date provided on official documentation. (Ed. Code, § 48204.3.)
  - (c) Children of Military Service Members / Residency Retention and Matriculation.** A student living in the household of an active duty military service member must be allowed to continue attending the student's school of origin for the remainder of the school year if the family moves.

A student from an active duty military family who is transitioning between school grade levels must be allowed to continue in the school district of origin and in the same attendance area of his/her school of origin. If the student is transitioning to middle school or high school, and the school designated for matriculation is in another school district, the local educational agency

must allow the student to continue to the school designated for matriculation in that school district. The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended, or if the student is unable to produce clothing or records normally required for enrollment.

If the parent/guardian's military service ends during the school year, then the student is allowed to stay in his/her school of origin for the remainder of the school year if s/he is in grades 1-8, or through graduation if the student is in high school.

**(d) Foster Children.** Foster children must be allowed to continue their education at their school of origin. When a student's foster student status is terminated by the juvenile court during the school year, a former foster student in grades K-8 must be allowed to finish the school year in his or her school of origin. Former foster students in high school must be allowed to continue attending their schools of origin through graduation. (Ed. Code, §§ 48204(a)(2) and 48853.5(e).)

**(e) Residency Retention for the Students of Detained or Deported Parents.** Students retain residency in the District, regardless of the students' current residency, when both of the following requirements are met:

1. The student's parent or guardian has departed California against his or her will, and the student can provide official documentation evidencing the departure; and
2. The student moved outside of California as a result of his or her parent or guardian leaving the state against his or her will, and the student lived in California immediately before moving outside the state. The student must provide evidence of enrollment in a California public school immediately before moving outside the state.

Deported parents may designate another adult to attend school meetings and to serve as an emergency contact. No charges or fees of any kind, as allowed under Education Code section 48050, may be required for admission or attendance in these circumstances.

These students will be included in computing ADA for the purpose of obtaining apportionment state funds. This law applies to parents who are: (1) in the custody of a government agency and are transferred to another state; (2) subject to a lawful removal order and who were removed or were permitted to leave California voluntarily before being removed; and (3) subject to any additional circumstances consistent with these purposes, as determined by the District.

- 4. TEMPORARY DISABILITIES.** A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction either: (1) at home provided by the school district in which the student resides; or (2) in a hospital or other residential health facility, excluding state hospitals, provided by the school district in which the hospital or residential health facility is located. It is the primary responsibility of the student's parent/guardian to notify the school district in which the student is deemed to reside of the student's need for individual instruction.

"Temporary disability" means a physical, mental or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program to which the student can reasonably be expected to return. "Temporary disability" does not include a disability that would qualify a student as a "student with exceptional needs" under Education Code section 56026.

A student with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. Once the parent has notified the district in which the hospital is located of the student's presence in the qualifying hospital, the district has five working days to notify the parent if individualized

instruction shall be made available. If the determination is positive, individualized instruction shall commence within five working days.

Individual instruction in a student's home must commence no later than five working days after a school district determines that the student shall receive this instruction.

When a student receiving individual instruction is well enough to return to school, s/he must be allowed to return to the school that s/he attended immediately before receiving individual instruction, if the student returns during the school year in which the individual instruction was initiated.

Students enrolled in individual instruction in a hospital or other residential health facility for a partial week, are entitled to attend school in his/her school district of residence, or to receive individual instruction provided by the school district of residence in the student's home, on days in which he or she is not receiving individual instruction in a hospital or other residential health facility, if s/he is well enough to do so.

Absences from the student's regular school program due to the student's temporary disability are excused until the student is able to return to the regular school program. (Ed. Code, §§ 48206.3, 48207- 48208, 48240 (c) and 48980(b).)

5. **ALTERNATIVE SCHOOLS.** California law authorizes the establishment of alternative schools and requires the Notice of Alternative Schools, which is set forth in **Attachment 1**. (Ed. Code, § 58501.)
  
6. **EXCUSED ABSENCES.**
  - (a) A student must be excused from school under Education Code section 48205 when the absence is:
    - (1) Due to the student's illness.
    - (2) Due to quarantine under the direction of a county or city health officer.
    - (3) For the purpose of having medical, dental, optometrical or chiropractic services rendered.
    - (4) For the purpose of attending the funeral services of a member of the student'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.
    - (5) For the purpose of jury duty in the manner provided for by law.
    - (6) Due to the illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child without a doctor's note.
    - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the student'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 student's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
    - (8) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
    - (9) For the purpose of spending time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 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.

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

(11) Valid excuses that are authorized at the discretion of a school administrator pursuant to Education Code section 48260, subdivision (c).

(b) A student absent from school under Education Code section 48205 shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a student is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the absence.

(c) For purposes of Education Code section 48205, attendance at religious retreats shall not exceed four hours per semester.

(d) "Immediate family," as used in Education Code section 48205, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the student.

7. **ABSENCE FOR RELIGIOUS PURPOSES.** A student may be excused from school to attend religious exercises or to receive moral and religious instruction in accordance with Education Code section 46014.

8. **MINIMUM AND STAFF DEVELOPMENT DAYS.** A copy of the District's calendar with minimum or staff development days is attached. (Ed. Code, § 48980(c).) **See Attachment 2.**

## **B. STUDENT HEALTH AND WELLNESS**

1. **SEXUAL HARASSMENT.** A copy of the District's written policy on sexual harassment as it relates to students is attached. (Ed. Code, §§ 231.5 and 48980(g).) **See Attachment 3.**

2. **CONFIDENTIAL MEDICAL SERVICES.** School authorities must notify students in grades 7 to 12 that they may be excused from school for the purpose of obtaining confidential medical services without parent/guardian consent. (Ed. Code, § 46010.1.)

3. **IMMUNIZATION FOR SCHOOL ADMISSION.** Before being admitted to school, students must be immunized against certain diseases, unless exempted for medical or religious reasons. Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016, will be exempt from the immunization requirement until they complete the "grade span" they were in as of January 1, 2016. Grade spans are defined as: (1) birth through preschool, (2) kindergarten through 6th grade, and (3) 7th through 12th grade. Students entering the District for the first time or advancing to 7th grade after July 1, 2016 will no longer be exempt from immunizations based on religious or personal beliefs. (Ed. Code, § 48216 and Health & Safety Code, §§ 120335 and 120370.)

4. **IMMUNIZATION FOR COMMUNICABLE DISEASE.** If the District participates in a school immunization program for the prevention and control of communicable diseases in school age children, the parent/guardian may consent to the administration of an immunizing agent. A student will not receive an immunizing agent unless the parent/guardian provides written consent. (Ed. Code, § 49403.) Additional information, policies, or notices will be provided as necessary.

5. **ADMINISTRATION OF MEDICATION AT SCHOOL.** Any student who is required to take, during the regular school day, prescribed medication may be assisted with the administration of the medication if the District receives written authorization from both the parent/guardian and the physician, surgeon or





## C. STUDENT RECORDS

1. **MAINTENANCE OF RECORDS.** The District maintains student records in accordance with District policy and state and federal laws and regulations. (Ed. Code, §§ 49061, 49063(a)–(c), 49064, 49076; 5 Cal. Code Regs., §§ 430, 432, 433, 435, 437.)
  - (a) Student records include any items of information directly related to an identifiable student, other than directory information, that are maintained by the District or required to be maintained by an employee in the performance of the employee’s duties whether recorded by handwriting, print, tapes, film, microfilm, or other means. The student records include those which are classified under state law and District policy as “mandatory permanent,” “mandatory interim,” and “permitted.” Mandatory student records are maintained indefinitely and include the student’s legal name, birth place and verified date, sex, name and address, school entrance and departure dates, subjects taken and marks or credits given, immunization information, and date of high school graduation or equivalent. Mandatory interim student records are maintained for stipulated periods of time and include expulsion orders and causes therefor, student record logs, health information, participation in special education programs, language training records, progress slips/notices, parental restrictions/stipulations regarding access to directory information, parent/guardian rejoinders to challenged records and disciplinary action, parent/guardian authorizations or denials of student participation in specific programs, and standardized test results. Permitted records may be destroyed six months after the student completes or withdraws from the educational program and include objective counselor/teacher ratings, standardized test results older than three years, routine disciplinary data, verified reports of relevant behavioral patterns, disciplinary notices, and supplementary attendance records.
  - (b) Student records are maintained by the principal or a certificated employee designated as a custodian of records at a central file at each school. If the student records are not located at the school, the central file will note the location of the records.
  - (c) The school office maintains a student records log for each student and lists persons, agencies, or organizations requesting and/or receiving information from the records and the legitimate interests therefor. The student records log is open to inspection by parents, guardians and other authorized persons.
2. **CONSENT TO DISCLOSURE.** A parent/guardian has the right to consent to disclosure of personally identifiable information contained in his or her student’s records, except to the extent disclosure without consent is permitted by law. (20 U.S.C. § 1232g(b)(1); 34 C.F.R. §§ 99.30, 99.31, 99.7(a)(1)(3); Ed. Code, § 49075; 5 Cal. Code Regs., §§ 434, 435.)
3. **RIGHT TO PRIVACY.** The District may not release student information or records to non-educational organizations or individuals without the consent of the student’s parent or guardian except by court order, receipt of a lawfully issued subpoena, or when otherwise permitted by law. School officials and employees who have a legitimate educational interest, as well as individuals identified in Education Code sections 49076 and 49076.5 and the federal Family Educational Rights and Privacy Act (“FERPA”), may access student records without first obtaining parental consent. “School officials and employees” are officials or employees whose duties and responsibilities to the District, whether routine or as a result of special circumstances, require that they have access to student records. A “legitimate educational interest” is one held by school officials or employees whose duties and responsibilities to the District, whether routine or as a result of special circumstances, require that they have access to student records. (20 U.S.C. § 1232g; 34 C.F.R. §§ 99.30, 99.31, 99.7; Ed. Code, §§ 49063(d), 49076, 49076.5, 49077, 49078; 5 Cal. Code Regs., §§ 434, 435.)

4. **RIGHT TO REVIEW AND INSPECT RECORDS.** A parent or guardian of a student younger than age 18, or a student who is age 18 or older, has an absolute right to access any and all student records related to that student. A parent/guardian has the right to review and inspect his or her student's school records during regular school hours. Access to review, inspect or copy the student's records shall be granted within five business days following the date of the request. Requests to review student records should be directed to the principal at the student's school. (Ed. Code, §§ 49063(f), 49069; 5 Cal. Code Regs., §§ 431, 434.)
5. **COPY OF RECORDS.** Parents/guardians have the right to receive a copy of their student's records at a cost of ten cents (\$.10) per page. The District must provide up to two copies of a former student's transcript and up to two verifications of records of former students without charge. The District may not charge to search for or retrieve any student record. (Ed. Code, §§ 49063(h), 49065.)
6. **REVIEW AND EXPUNGEMENT OF RECORDS.** Except for routine updating, the District may not make any additions to a student record after high school graduation or permanent departure without the prior consent of the parent or adult student. Mandatory permanent student records shall be preserved in perpetuity by all California schools. Unless forwarded to another district, mandatory interim student records may be adjudged to be disposable when the student leaves the District or when their usefulness ceases. Destruction shall be in accordance with state regulations during the third school year following such classification. Permitted student records may be destroyed when their usefulness ceases. They may be destroyed after six months following the student's completion of or withdrawal from the educational program. The method of destruction shall assure that records are not available to possible public inspection in the process of destruction. (Ed. Code, § 49063(e); 5 Cal. Code Regs., § 437.)
7. **CHALLENGE OF STUDENT RECORDS.** Parents/guardians have the right to challenge the content of any of their student's records. They may file a written request with the Superintendent of the District to correct or remove any information which is believed to be (1) inaccurate, (2) an unsubstantiated personal conclusion or inference, (3) a conclusion or inference outside of the observer's area of competence, (4) not based on the personal observation of a named person with the time and place of the observation noted, (5) misleading, or (6) in violation of the privacy or other rights of the student. Within 30 days of receiving such a request, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information (if still employed by the District) and either 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/guardian may appeal the decision to the Governing Board within 30 days of the denial. Within 30 days of receipt of the appeal, the Board shall, in closed session with the parent/guardian and the certificated employee who recorded the information (if still employed by the District), determine whether 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 student's written records.

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

Both the Superintendent and the Board may, at their discretion, appoint a hearing panel in accordance with Education Code sections 49070 and 49071 to assist in the decision making, provided that the parent or guardian has given written consent to release information from their student's records to panel members. (20 U.S.C. § 1232g(a)(2); 34 C.F.R. § 99.20; Ed. Code, §§ 49063(g), 49070, 49071; 5 Cal. Code Regs., § 436.)
8. **RELEASE OF DIRECTORY INFORMATION.** State and federal law permit school officials to disclose student directory information, without first obtaining a parent or guardian's consent. Student directory information that may be released by the District includes a student's name, address, telephone number,

email address, photograph, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received and most recent previous school attended. Student directory information may be released to representatives of the news media, nonprofit organizations, colleges, prospective employers and military recruiters. Student directory information will not be disclosed to private, profit-making entity except for those listed above. The District may provide the names and addresses of 12th grade students who are no longer enrolled to private schools and colleges for purposes directly related to the institution's academic or professional goals. A parent or guardian may request in writing that directory information not be released. Requests to withhold student directory information from release must be provided in writing to the school principal or designee. The District may not release student directory information regarding a student identified as a homeless child or youth unless the student's parent or guardian, or the student if accorded parental rights, has provided written consent. (20 U.S.C. § 1232g;(A)(5)(a), (b); 34 C.F.R. § 99.37(a)(3); Ed. Code, §§ 49063(c), 49073.)

9. **COMPLAINTS.** Parents/guardians have the right to file a complaint concerning the District's alleged violations of rights related to student records under FERPA. A complaint must contain specific allegations of fact giving reasonable cause to believe that a violation of the Act has occurred. A complaint does not have to allege that a violation is based on a policy or practice of the educational agency or institution. A timely complaint is defined as an allegation of a violation of the Act that is submitted to the Office within 180 days of the date of the alleged violation or of the date that the complainant knew or reasonably should have known of the alleged violation. The Office may extend the time limit in this section for good cause shown. 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, D.C. 20202-5920. (20 U.S.C. §§ 1232g(f), (g); 34 C.F.R. §§ 99.63, 99.64; Ed. Code, § 49063(j).)
10. **TRANSFER OF STUDENT RECORDS.** The District will forward student records, including suspension and/or expulsion disciplinary records, to other schools that have requested the records and in which the student seeks or intends to enroll. (20 U.S.C. 1232g(b)(1)(B); 34 C.F.R. §§ 99.34(a)(1)(ii) and 99.7; Ed. Code, § 48201(b)(1); 5 Cal. Code Regs., § 438.)

#### **D. STUDENT INSTRUCTION**

1. **EDUCATION PROJECT OR TEST INVOLVING ANIMALS.** A student with a moral objection to an education project or test involving dissection or the harmful or destructive use of any animals or animal parts must notify the student's teacher of the objection to participating in the education project or test, and the student's objection must be substantiated by a note from the student's parent/guardian. The teacher may work with the student to develop and agree upon an alternative avenue for obtaining the knowledge, information or experience, or may excuse the student from the project or test. (Ed. Code, § 32255 et seq.)
2. **INDIVIDUAL INSTRUCTION DURING TEMPORARY DISABILITY.** A student with a temporary disability which makes attendance in the regular day classes or alternative education program in which the student is enrolled impossible or inadvisable, may be entitled to receive individual instruction in the student's home, in a hospital or other residential health facility, or under other circumstances prescribed by the State Board of Education's regulations. (Ed. Code, §§ 48206.3 et seq., 48208 and 48980(b).)
3. **MISSED ASSIGNMENTS AND TESTS.** A student with absence(s) excused pursuant to Education Code section 48205 will not have his or her grade reduced or lose academic credit if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, § 48980(j).)
4. **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 students 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 Director of Special Education 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 Director of Student Services is responsible for handling requests for services under Section 504.

5. **COMPREHENSIVE SEXUAL HEALTH AND HIV PREVENTION EDUCATION.** In accordance with section 51938 of the California Healthy Youth Act, the District has planned instruction in comprehensive sexual health education and HIV prevention education, as well as research on student health behaviors and risks, for the coming year. Any written and audiovisual educational materials are available for inspection by parents/guardians. The comprehensive sexual health education or HIV prevention education will be taught by an outside consultant (Health Connected). Additional information, including the date of instruction, will be included in a separate notice. Parents/guardians have the right to excuse (opt-out) their child from all or part of any comprehensive sexual health education and HIV prevention education and, in order to do so, must submit their requests in writing to the District. Parents/guardians also have the right to request a copy of the California Healthy Youth Act, codified at Education Code, §§ 51930–51939. The California Healthy Youth Act does not apply to: (a) descriptions or illustrations of human reproductive organs which may appear in a textbook, adopted pursuant to law, if the textbook does not include other elements of comprehensive sexual health education or HIV prevention education; and, (2) instruction, materials, presentations, or programming that discuss gender, gender identity, gender expression, sexual orientation, discrimination, harassment, bullying, intimidation, relationships, or family and do not discuss human reproductive organs and their functions. (Ed. Code, §§ 48980(a), 51930 et seq.)
6. **STUDENT SURVEYS, TESTS AND QUESTIONNAIRES ON HEALTH BEHAVIORS AND RISKS.** The California Healthy Youth Act also authorizes 7th–12th grade students to be administered anonymous, voluntary and confidential research and evaluation tools to measure health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions about the student’s attitudes concerning or practices relating to sex. Before any such test, questionnaire, or survey is administered, the District will provide parents/guardians with: (1) written notice that the test, questionnaire, or survey is to be administered; (2) the opportunity to review the test; and, (3) notice of their right to excuse their child by submitting a written request to the District. If a school receives a written request from the parent or guardian excusing a student from this activity, the student may not be subject to disciplinary action, academic penalty or other sanction and an alternative educational activity must be made available to the student. (Ed. Code, § 51938(c).)
7. **COURSE FAILURE.** Whenever it becomes evident to a teacher that a student is in danger of failing a course, the teacher shall arrange a conference with the student’s parent/guardian or send the parent/guardian a written report. (Ed. Code, §§ 49063(j), 49067(a).)
8. **COURSE DESCRIPTION.** Each school has a prospectus of school curriculum, which includes course titles, descriptions, and instructional aims. The prospectus is available for review upon request. (Ed. Code, §§ 49063(k), 49091.14.)
9. **ADVANCED PLACEMENT EXAMINATION FEES.** The District may help pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged students. (Ed. Code, §§ 48980(k) and 52242.)
10. **GRADUATION REQUIREMENTS.** Information regarding District graduation requirements is attached. **See Attachment 5.** (Ed. Code, §§ 48980(m) and 51225.3.)
11. **COLLEGE ADMISSION REQUIREMENTS/CAREER TECHNICAL EDUCATION.** Information regarding state college admission requirements and career technical education is attached. (Ed. Code, §§ 48980(l)–(m) and 51229.) **See Attachment 5.**

12. **EXEMPTION FROM STUDENT ASSESSMENTS.** The District annually administers student assessments in accordance with the California Assessment of Student Performance and Progress (CAASPP). A parent/guardian may annually submit a written request to the school to excuse his or her child from any or all parts of the CAASPP assessments. (Ed. Code, § 60615, Cal. Code Regs. tit. 5, § 852.)
13. **CAREER COUNSELING AND COURSE SELECTION.** The District will notify parents/guardians in advance of career counseling and course selection commencing with course selection for grade 7 so that parents/guardians may participate in the counseling sessions and decisions. (Ed. Code, § 221.5(d).)
14. **TEACHER QUALIFICATIONS.** Under federal law, a parent/guardian of a student attending a school which receives Title I funds may request information regarding the professional qualifications of the student's classroom teacher(s) and, if applicable, paraprofessional(s).

**E. NON-DISCRIMINATION.**

State and federal law prohibit discrimination in education programs or activities.

1. **NON-DISCRIMINATION.** Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and state law prohibit discrimination on the basis of race, color, national origin, or sex in federally financed education programs or activities. District programs shall be free from discrimination based on age, sex (sex discrimination includes discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions, or denial of lactation accommodations for lactating students), gender (including a person's gender identity and gender expression, which is a person's gender-related appearance and behavior whether or not stereotypically associated with a person's assigned sex at birth), race, color, religion (including agnosticism, atheism and all aspects of religious belief, observance and practice), ancestry, national origin, ethnic group identification, ethnic background, lack of English skills, immigration status, family, marital or parental status, physical or mental disability, genetic information, sexual orientation (including heterosexuality, homosexuality and bisexuality) or the perception of one or more of such characteristics. Harassment, intimidation or bullying based upon these actual or perceived characteristics or on a person's association with a person or group with one or more of these actual or perceived characteristics is also prohibited. The Governing Board is committed to a workplace and educational environment that is free from discrimination and/or gender bias and shall promote programs which ensure that discriminatory practices are eliminated in all District activities. Any questions or concerns about noncompliance can be directed to the District's Director of Student Services. Refer to the Uniform Complaint Procedures and Non-Discrimination/Harassment Policy for further information about non-discrimination complaints. (34 CFR §§ 100.6, 106.9 and 5 Cal. Code Regs., § 4610(c)).
2. **ACCESS TO PROGRAMS, ACTIVITIES AND FACILITIES BASED ON GENDER IDENTITY.** Students may access sex-segregated school programs, activities and facilities, including athletic teams, competitions and use facilities, consistent with their gender identity. The District endeavors to protect the rights and privacy of all students. Consequently, if a student or parent/guardian believes participation in or access to a sex-segregated school program, activity or facility with another student or students of the opposite biological sex would violate the student's right to privacy or religious beliefs and/or practices, the student and/or guardian should notify the District's compliance officer with any objection. The compliance officer will meet with the student and/or the parent/guardian who raises the objection to determine how to best accommodate the student. Absent written permission from a parent/guardian and/or student, state and federal laws prohibit the District from disclosing private student information such as gender identity.
3. **NON-DISCRIMINATION WITH RESPECT TO DISABLED INDIVIDUALS.** Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against qualified disabled individuals in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. Please contact the District's Director of Student Services, with any questions or concerns. (34 CFR § 104.8; 28 CFR § 35.106.)

4. **IMMIGRATION ENFORCEMENT – “KNOW YOUR RIGHTS”.** All students have the right to a free public education, regardless of immigration status or religious beliefs. For more information, please see the resources developed by the California Attorney General at <https://www.oag.ca.gov/immigrant/rights>

**F. COMPLAINTS.**

1. **MISCELLANEOUS COMPLAINTS.** The District’s Board Policies (BP) and Administrative Regulations (AR) address and govern complaints concerning: District employees (BP/AR 1312.1), the content or use of instructional materials (BP/AR 1312.2), bullying as defined by Education Code section 48900(r) (BP 5131.2), and sexual harassment (BP/AR 5145.7).
2. **UNIFORM COMPLAINT PROCEDURES.** The District’s Uniform Complaint Procedures (BP/AR 1312.3) address: alleged violations of federal or state laws or regulations governing educational programs (e.g., Adult Education, Consolidated Categorical Aid, Migrant Education, Career Technical and Technical Education and Training, Child Care and Development, Child Nutrition, and Special Education); the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and; unlawful discrimination, harassment, intimidation, or bullying. (5 Cal. Code Regs., § 4610.) Unless otherwise indicated in the section on specific complaints below, the following information is generally applicable to complaints submitted under the District’s Uniform Complaint Procedures:
  - (a) **Compliance Officer.** The Deputy Superintendent of Human Resources shall receive and investigate complaints submitted under the District’s Uniform Complaint Procedures and insure District compliance with the law.
  - (b) **Civil Law Remedies.** A complainant may pursue available civil law remedies outside of the District’s Uniform Complaint Procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For complainants alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies, provided the District has appropriately and in a timely manner apprised the complainant of his or her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Ed. Code, § 262.3.)
  - (c) **Appeal Process.** Except for complaints submitted under the District’s Williams Uniform Complaint Procedures, a complainant may appeal a decision made under the Uniform Complaint Procedures to the California Department of Education by filing a written appeal within 15 days of receiving the decision. (5 Cal. Code Regs., § 4632.) The appeal to the California Department of Education must include a copy of the complaint filed with the District and a copy of the District’s decision.
  - (d) **Complaint Review.** The District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts. The District’s Uniform Complaint Procedures are available free of charge and are attached. **See Attachment 6.**

- (e) **State Intervention.** Complaints must usually be submitted to the District’s Compliance Officer; however, the California Department of Education may directly intervene without waiting for the District’s investigation if a complaint: (1) alleges that the District failed to comply with the complaint procedures; (2) relates to Child Development and Child Nutrition programs not administered by the District; (3) requests anonymity because the complainant would be in danger of retaliation and would suffer immediate and irreparable harm if the complaint were filed with the District; (4) alleges the District failed or refused to implement the final decision; (5) alleges the District took no action within sixty days regarding a complaint originally filed with the District; (6) the complainant would suffer immediate and irreparable harm as a result of a District policy that conflicts with state or federal law and that filing a complaint with the District would be futile; or, (7) relates to Special Education and includes certain allegations. (5 Cal. Code Regs., §§ 4630 and 4650.)
- (f) **Specific Complaints.** Complaints alleging non-compliance with specific state laws identified below may be submitted under the District’s Uniform Complaint Procedures. If a complainant is not satisfied with the District’s decision, the complainant may appeal to the California Department of Education and will receive a written decision within 60 days.
- (1) **Pupil Fees.** Students enrolled in the District shall not be required to pay a fee or charge, or make a deposit, as a condition for participation in District educational activities, unless authorized by law. (Ed. Code, §§ 49010-49013.) A complaint alleging the imposition of pupil fees for participation in educational activities may be filed with the Principal under the Uniform Complaint Procedures not later than one year from the date the alleged violation occurred. A complaint may be filed anonymously. (Ed. Code, § 49013; 5 Cal. Code Regs., § 4630.)
- (2) **Local Control Accountability Plan.** School districts, charter schools and county offices of education are required to adopt and annually update their Local Control Accountability Plans (“LCAP”). A complaint alleging noncompliance with the LCAP may be filed anonymously. (Ed. Code, § 52075.)
- (3) **Students in Foster Care, Who are Homeless, Former Juvenile Court School Pupils, Migratory and Newly Arrived Immigrant Students Participating in a “Newcomer Program,” or Students Living in Active Duty Military Households.** State law outlines the rights afforded to students in foster care, who are homeless, who are former juvenile court school pupils, migratory and newly arrived immigrant students participating in a “newcomer program,” which is a program designed to meet the academic and transitional needs of newly arrived immigrant students, or students living in the household of a parent who is an active duty member of the military, including, but not limited to, rights regarding a student’s school of origin, enrollment, credits, coursework requirements, graduation, college, discipline, records, and/or certain non-educational rights. (Ed. Code, §§ 48853, 48853.5, 49069.5, 51225.1, 51225.2, 51225.3, and 54441.) A notice summarizing the rights of foster youth is attached (**See Attachment 7**) and is available online through the California Department of Education at <http://www.cde.ca.gov/ls/pf/fy/documents/fosteryouthedrights.pdf>.
- (4) **Juvenile Court Students Who Have Qualified for a Diploma - Graduation Requirements and Continuing Education Options.** Juvenile court students who have qualified for a diploma have additional rights related to deferring or declining the issuance of a diploma in order to take additional coursework, continuing their education upon release from the juvenile detention facility, and community college transfer opportunities. (Ed. Code, § 48645.7.)

- (5) Enrollment of Students in Course without Educational Content or in Previously Completed Course.** Except under certain circumstances, Education Code sections 51228.1 and 51228.2 prohibit students from being enrolled in course periods without educational content for more than one week in any semester and from being enrolled in a course which the student previously satisfactorily completed. (Ed. Code, §§ 51228.1, 51228.2, and 51228.3.)
- (6) Lactation Accommodations for Parenting Students.** School districts must provide reasonable accommodations to lactating students on school campuses to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student may not incur an academic penalty as a result of her use of reasonable lactation accommodations and must be provided an opportunity to make up any work missed due to such use. (Ed. Code, § 222(f).)
- (7) Pregnant and Parenting Student Rights**  
(Rights Under Education Code Section 221.51)  
Local educational agencies (including school districts, charter schools and county offices of education):
- (a) Shall not apply any rule concerning a student’s actual or potential parental, family, or marital status that treats students differently on the basis of sex.
  - (b) Shall not exclude nor deny any student from any educational program or activity, including class or extracurricular activity, solely on the basis of the student’s pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.
  - (c) May require any student to obtain the certification of a physician or nurse practitioner that the student is physically and emotionally able to continue participation in the regular education program or activity.
  - (d) Pregnant or parenting students shall not be required to participate in pregnant minor programs or alternative education programs. Pregnant or parenting students who voluntarily participate in alternative education programs shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
  - (e) Shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disabling condition.

(Rights Under Education Code Section 46015)

- (a)(1) pregnant or parenting students are entitled to eight weeks of parental leave, which the student may take before the birth of the student’s infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The student, if the student is 18 years of age or older, or, if the student is under 18 years of age, the person holding the right to make educational decisions for the student, shall notify the school of the student’s intent to exercise this right. Failure to notify the school shall not reduce these rights.
- (2) A pregnant or parenting student who does not wish to take all or part of the parental leave to which s/he is entitled shall not be required to do so.
- (3) A pregnant or parenting student is entitled to receive more than eight weeks of parental leave if deemed medically necessary by the student’s physician.
- (4) When a student takes parental leave, the supervisor of attendance shall ensure that absences from the student’s regular school program are excused until the student is able to return to the regular school program or an alternative education program.



- (5) During parental leave, a local educational agency shall not require a pregnant or parenting student to complete academic work or other school requirements.
- (6) A pregnant or parenting student may return to the school and the course of study in which he or she was enrolled before taking parental leave.
- (7) Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.
- (8) Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the school in which the student was previously enrolled when it is necessary in order for the student to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the student is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.
- (9) A student who chooses not to return to the school in which he or she was enrolled before taking parental leave is entitled to alternative education options offered by the local educational agency.
- (10) A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.
- (11) A student shall not incur an academic penalty as a result of his or her use of these accommodations.

- 3. WILLIAMS UNIFORM COMPLAINT PROCEDURES.** The District's Williams Uniform Complaint Procedures (AR 1312.4) address the sufficiency of textbooks and instructional materials, teacher vacancies or misassignments, and facilities. (5 Cal. Code Regs., §§ 4680 and 4681.) The Williams Uniform Complaint procedures are attached. See Attachment 6. The Principal or designee of the Superintendent shall make all reasonable efforts to investigate complaints submitted under the District's Williams Uniform Complaint Procedures. (Ed. Code § 35186(b); 5 Cal. Code Regs., § 4680 et seq.)

## Attachment 1

### 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 his desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects.
- (d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, student, or teacher is interested in further information concerning alternative schools, copies of the law are available through the county superintendent of schools, the administrative office of this District, and the principal's office. This law particularly authorizes interested persons to request the governing board of the District to establish alternative school programs in each district.



**Campbell Union High School District**  
2019-2020 School Year Calendar

July-19								July								January-20								
S	M	T	W	T	F	S	7/4	Independence Day (legal holiday)	S	M	T	W	T	F	S				1	2	3	4		
	1	2	3	4	5	6						1	2	3	4									
7	8	9	10	11	12	13						5	6	7	8	9	10	11						
14	15	16	17	18	19	20	8/6 & 7	New Teacher Orientation	12	13	14	15	16	17	18	12	13	14	15	16	17	18		
21	22	23	24	25	26	27	8/8	Professional Development - no students	19	20	21	22	23	24	25	19	20	21	22	23	24	25		
28	29	30	31				8/9	Teacher work day	26	27	28	29	30	31	26	27	28	29	30	31				
							8/12	First day of school																
August-19								September								February-20								
S	M	T	W	T	F	S	9/2	Labor Day (legal holiday)	S	M	T	W	T	F	S							1		
					1	2	3	9/20	Minimum A Day-end of grading period							1							1	
4	5	6	7	8	9	10	9/20	Minimum B Day-end of grading period	2	3	4	5	6	7	8	2	3	4	5	6	7	8		
11	12	13	14	15	16	17	9/23		9	10	11	12	13	14	15	9	10	11	12	13	14	15		
18	19	20	21	22	23	24			16	17	18	19	20	21	22	16	17	18	19	20	21	22		
25	26	27	28	29	30	31			23	24	25	26	27	28	29	23	24	25	26	27	28	29		
							10/14	School not in session																
September-19								October								March-20								
S	M	T	W	T	F	S	10/25	Minimum A Day-end of grading period	S	M	T	W	T	F	S	S	M	T	W	T	F	S		
1	2	3	4	5	6	7	10/28	Minimum B Day-end of grading period	10/28	Minimum B Day-end of grading period	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14					8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	11/11	Veteran's Day (legal holiday)	11/11	Veteran's Day (legal holiday)	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	11/25 -11/27	School not in session - no teachers	11/25 -11/27	School not in session - no teachers	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30						11/28	Thanksgiving (legal holiday)	11/28	Thanksgiving (legal holiday)	29	30	31					29	30	31				
							11/29	Day after Thanksgiving (local holiday)	11/29	Day after Thanksgiving (local holiday)														
October-19								December								April-20								
S	M	T	W	T	F	S	12/18 - 12/20	Finals	S	M	T	W	T	F	S	S	M	T	W	T	F	S		
						5	12/20	End of semester				1	2	3	4							1	2	
6	7	8	9	10	11	12	12/23 - 1/3	Winter break - school not in session	5	6	7	8	9	10	11	5	6	7	8	9	10	11		
13	14	15	16	17	18	19	12/24	Local holiday	12	13	14	15	16	17	18	12	13	14	15	16	17	18		
20	21	22	23	24	25	26	12/25	Legal holiday	19	20	21	22	23	24	25	19	20	21	22	23	24	25		
27	28	29	30	31			12/26	Local holiday (classified only)	26	27	28	29	30			26	27	28	29	30				
							12/31	Local holiday																
November-19								January								May-20								
S	M	T	W	T	F	S	1/1	Legal holiday	S	M	T	W	T	F	S	S	M	T	W	T	F	S		
						1	2	1/6	First day second semester						1	2							1	2
3	4	5	6	7	8	9	1/20	Martin Luther King Day (legal holiday)	3	4	5	6	7	8	9	3	4	5	6	7	8	9		
10	11	12	13	14	15	16	1/29	Professional Development - no students	10	11	12	13	14	15	16	10	11	12	13	14	15	16		
17	18	19	20	21	22	23			17	18	19	20	21	22	23	17	18	19	20	21	22	23		
24	25	26	27	28	29	30			24	25	26	27	28	29	30	24	25	26	27	28	29	30		
									31							31								
December-19								February								June-20								
S	M	T	W	T	F	S	2/13	Minimum A Day-end of grading period	S	M	T	W	T	F	S	S	M	T	W	T	F	S		
1	2	3	4	5	6	7	2/14	Minimum B Day-end of grading period							1	2	3	4	5	6				
8	9	10	11	12	13	14	2/17 - 2/21	President's Break -school not in session							7	8	9	10	11	12	13			
15	16	17	18	19	20	21	2/17	Washington's Birthday (legal holiday)							14	15	16	17	18	19	20			
22	23	24	25	26	27	28	2/21	Lincoln's Birthday observed (local holiday)							21	22	23	24	25	26	27			
29	30	31													28	29	30							
							3/13 & 3/16	School not in session																

	First/last day of school	<b>April</b>	
	PD day - no students	4/2	Minimum A Day-end of grading period
	Minimum day	4/3	Minimum B Day-end of grading period
	Legal holiday	4/6 - 10	Spring Break - school not in session
	Local holiday		
	No school		
		<b>May</b>	
		5/25	Memorial Day (legal holiday)
		<b>June</b>	
		6/1 - 6/3	Finals
		6/3	Graduation-end of grading period
		6/4	Teacher work day - school not in session

### Attachment 3

## Board Policy 5145.7 Sexual Harassment

The Governing Board is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

### 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 gender
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the person(s) to whom a report of sexual harassment should be made

(cf. [5131.5](#) - Vandalism, Theft and Graffiti)

(cf. [5137](#) - Positive School Climate)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

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

### Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with administrative regulation. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

(cf. [1312.1](#) - Complaints Concerning District Employees)

#### Disciplinary Measures

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 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.

#### 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 its schools.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR [4964](#))  
(cf. [4119.23/4219.23/4319.23](#) - Unauthorized Release of Confidential/Privileged Information)

#### Legal Reference:

##### EDUCATION CODE

[200-262.4](#) Prohibition of discrimination on the basis of sex

[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

##### CODE OF REGULATIONS, TITLE 5

[4900-4965](#) Nondiscrimination in elementary and secondary education programs receiving state financial assistance

##### UNITED STATES CODE, TITLE 20

[1681-1688](#) Title IX, Discrimination

##### UNITED STATES CODE, TITLE 42

[2000d-2000d-7](#) Title VI, Civil Rights Act of 1964

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

##### CODE OF FEDERAL REGULATIONS, TITLE 34

[106.1-106.71](#) Nondiscrimination on the basis of sex in education programs

## COURT DECISIONS

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

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

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Nabozny v. Podlesny, (1996, 7th Cir.) 92 F.3d 446

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

Oona R.-S. etc. v. Santa Rosa City Schools et al, (1995) 890 F.Supp. 1452

Rosa H. v. San Elizario Ind. School District, (W.D. Tex. 1995) 887 F. Supp. 140, 143

Clyde K. v. Puyallup School District #3, (1994) 35 F.3d 1396

Patricia H. v. Berkeley Unified School District, (1993) 830 F.Supp. 1288

Franklin v. Gwinnet County Schools, (1992) 112 S. Ct. 1028

Kelson v. City of Springfield, Oregon, (1985, 9th Cir.) 767 F.2d 651

### Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime: A Guide for Schools, January 1999

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Revised Sexual Harassment Guidance, January 2001

Sexual Harassment Guidance, March 1997

### WEB SITES

OCR: <http://www.ed.gov/offices/OCR>

Policy CAMPBELL UNION HIGH SCHOOL DISTRICT

adopted: July 17, 2008 San Jose, California

**Attachment 4**

**NOTIFICATION OF PESTICIDE USE**

Notice to all District staff, parents/guardians, and students:

This Notice is provided in accordance with the Healthy Schools Act of 2000 and serves to notify recipients that the District expects to use the following pesticide products at its school sites during the 2019-20 school year:

To access information on pesticides and pesticide reduction developed by the California Department of Pesticide Regulation (DPR) pursuant to section 13184 of the Food and Agricultural Code, visit the DPR's website at <http://apps.cdpr.ca.gov/schoolipm/>.

To view a copy of the school site integrated pest management plan or to register to receive notification of individual pesticide applications at the school site, please notify the Maintenance Department, preferably by email at: [etrevino@cuhsd.org](mailto:etrevino@cuhsd.org) or in writing at: CUHSD, 3235 Union Avenue, San Jose, CA, 95124.

Persons who register for notification will be notified of individual pesticide applications at least 72 hours before the application.

Notice

Graduation, College Admission, and Career Technical Education

Graduation Requirements

District students will receive diplomas of graduation from high school only after completing the prescribed course of study and meeting the proficiency standards established by the District. Graduation and College Entrance Requirements are available through a link on the District’s Curriculum & Instruction Department webpage: http://www.cuhsd.org/apps/pages/curriculum\_instruction. (Education Code 51225.3) As required by state law, the District shall exempt eligible students in foster care, students who are homeless, or students who are former juvenile court school pupils from coursework and local graduation requirements which exceed state requirements. The District will also accept coursework and issue credit as required by law. (Ed. Code, §§ 48645.5, 51225.1 and 51225.2)

State College Admission Requirements

The University of California (UC) and the California State University (CSU) have established common high school course requirements for undergraduate admission, which are referred to as the “A–G” courses. Students who take these courses and meet other specified criteria are eligible to apply and be considered for admission.

For more information from about UC and CSU college admission requirements and for a list of high school courses that have been certified by the University of California as satisfying the requirements for admission to UC and CSU, visit the following websites:

Available Information	Website
UC Admission Requirements	<a href="http://admission.universityofcalifornia.edu/freshman/requirements/">http://admission.universityofcalifornia.edu/freshman/requirements/</a>
CSU Admission Requirements	<a href="https://secure.csumentor.edu/planning/high_school/">https://secure.csumentor.edu/planning/high_school/</a>
District’s Certified Courses	<a href="https://hs-articulation.ucop.edu/agcourselist#/list/district/2195">https://hs-articulation.ucop.edu/agcourselist#/list/district/2195</a>

Career Technical Education

The District allows a Career Technical Education course to satisfy the visual or performing arts or foreign language graduation requirement. Career Technical Education is a program of study involving a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers.

For more information about Career Technical Education, visit the Department of Education website at <http://www.cde.ca.gov/ci/ct/>. For a list of Career Technical Education courses offered by the District, visit: [http://www.cuhsd.org/apps/pages/career\\_technical\\_education](http://www.cuhsd.org/apps/pages/career_technical_education).

School Counselors

Students may meet with guidance counselors at their schools to discuss college admissions requirements and/or to enroll in Career Technical Education courses.



## **Campbell Union High School District Uniform Complaint Compliance**

If you have a complaint regarding any of the following issues:

Unlawful Discrimination in District Programs and Activities (Title IX)  
Education for English Learners  
Comprehensive Local Plans for Special Education  
504  
Free and Reduced Lunch Program  
Title I Programs  
Sexual Harassment  
Discrimination

Please contact one of the following:

Deputy Superintendent Human Resources  
Assistant Superintendent Educational Services  
Executive Director Special Education  
Director Student Services  
Director Curriculum & Instruction

@  
*Campbell Union High School District*  
3235 Union Avenue  
San Jose, CA 95124  
(408) 371-0960

- File a written complaint of non-compliance with the Deputy Superintendent, or designee
- The Deputy Superintendent, or designee, will attempt to meet with you in an informal meeting to discuss the possibility of using mediation.
- The compliance officer will meet with you if the result of the informal meeting is an unsuccessful attempt to mediate the complaint.
- Within 60 days, the compliance officer will prepare and send the complainant a written report of the District's investigation and decision/
- The report shall include:
  1. Finding and disposition of complaint including corrective action(s).
  2. Rationale for above disposition.
  3. Notice of right to appeal decision to California Department of Education.
  4. Detailed statement of specific issues brought up during the investigation and extent to which the issues were resolved.
- Appeal may be made to California Department of Education within fifteen (15) days of receiving the District's decision.

### **NOTICE OF NON-DISCRIMINATION**

It is the policy of the Campbell Union High School District to provide equal opportunity for all individuals in education and in employment. District programs and activities shall be free from discrimination based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, immigration status, age, religion, family, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics. (Board Policy 5145.3 and 4030 through 4032)

### **TITLE IX 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.) Inquires on all matters, including complaints, regarding the implementation of Title IX in the District should be referred to the Director of Student Services at (408) 371-0960 ext. 2016.

### **SEXUAL HARASSMENT**

It is the policy of Campbell Union High School District to provide all individuals (employees, students, etc.) work and academic environment free from all forms of discrimination, including sexual harassment.

Sexual harassment includes, but is not limited to:

1. Making unsolicited and unwelcome written, verbal, physical and/or visual contact with sexual overtones. (Written examples: Suggestive or obscene letters, notes, invitations. Verbal examples: Derogatory comments, slurs, jokes, epithets. Physical examples: Leering gestures, display of sexually suggestive objects or pictures, cartoons, posters, or magazines.)
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction is not considered sexual harassment).
3. Offering favors or employment or academic benefits such as promotions, favorable grades or performance evaluations, favorable assigned duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.
4. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response. For example, either implying or actually withholding support for an appointment, promotion, or change of assignment, or suggesting that a poor performance report will be given.
5. Engaging in implicit or explicit, coercive sexual behavior which is used to control, influence or affect the career, salary, and/or work environment of another employee.

This policy applies to all phases of the employment and academic relationships, including evaluating, recruiting, testing, hiring, upgrading, promotion/demotion, transfer, layoffs, termination, rates of pay, benefits and selection for training.

It is the stated policy of Campbell Union High School District to prevent and prohibit misconduct on the job, including sexual harassment by co-workers, subordinate employees, vendors, or supervisors. Any employee and/or student found to have acted in violation of the foregoing policies shall be subject to appropriate disciplinary action, including warnings, reprimand, suspension, demotion, and or termination.

### **SPECIAL EDUCATION**

Under federal and state laws, free appropriate special education, both public and private, is available to pupils with exceptional needs. Information of these programs may be obtained from the school guidance advisor, school/district psychologist or the Executive Director of Special Education.

### **COMPLAINT PROCESS**

Any employee or student who believes that they have been subjected to sexual harassment, discriminatory practices, or inappropriate procedures with respect to special education or other educational programs should follow the grievance process set forth in Board Policy 1312 through 1312.3 which is available in the principal's office at each school site and at the District Office located at 3235 Union Avenue, San Jose, CA 95124.

Questions or concerns may be directed to:

Meredyth Hudson  
Chief Human Resources Officer  
(408) 371-0960 extension 2010  
(For Complaints filed by Employees)

German Cerda  
Assistant Superintendent Educational Services  
(408) 371-0960 extension 2059  
(For Complaints filed by Students/Guardians)

**Uniform Complaint Procedure**  
**Board Policy &**  
**Administrative Regulation 1312.3**

1. **Complaint Expressed Verbally** Resolution shall be attempted by all parties involved. If not resolved, the complainant should get a copy of Board Policy 1312.3 and related administrative regulations, then file a written complaint.
2. **Complaint Expressed in Writing Using Standard Uniform Complaint Procedure**
  - a. Describe the complaint in detail.
  - b. File the complaint with the appropriate compliance officer.
  - c. An investigative meeting will be held with the complainant upon receipt of initial complaint.
  - d. District Compliance Officer will render a decision in writing to complainant within 60 days.
  - e. The final written decision shall be written in English and in the language of the complainant whenever feasible or required by law.
3. **Appeal Process if Dissatisfied with Response**
  - a. File appeal with the California Department of Education within 15 calendar days.
  - b. In a complaint of unlawful discrimination, the complainant may seek civil law remedies no sooner than sixty (60) days from the filing of an appeal with CDE, except that such time limitation does not apply to injunctive relief.

**Campbell Union High School District**  
**Compliance Officers**

Meredyth Hudson  
Chief Human Resources Officer  
3235 Union Avenue  
San Jose, CA 95124  
(408) 371-0960  
for complaints filed by employees

German Cerda  
Assistant Superintendent  
Educational Services  
3235 Union Avenue  
San Jose, CA 95124  
(408) 371-0960  
For complaints filed by students/guardians

o r

School site principals for textbook,  
teacher mis-assignment  
or facilities complaints

June, 2015

**Campbell Union High School District**



**Uniform**  
**Complaint**  
**Procedures**

Authorized by  
California Code of Regulation,  
Title 5, Sections 4600-4671  
**Uniform Complaint Procedures**  
**Board Policy 1312.3**

The Board of Trustees expects that complaints regarding public agencies' alleged violations of federal or state laws or regulations relating to the provisions of a free and appropriate public education including allegations of unlawful discrimination on the basis of characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, immigration status, age, religion, family, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Ed Code 200/220, Penal Code 422.55, or Govt Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics at any district site and/or activity be resolved by the Uniform Complaint Procedure. Complaints regarding teacher vacancy and mis-assignment, sufficiency of instructional materials, textbooks, and unsafe facilities can be made using the Williams Uniform Complaint process. Every effort will be made to resolve complaints of discontent, disagreement or violations informally whenever possible

## Procedures

Administrative Regulation 1312.4

1. Describe the complaint regarding insufficiency of instructional materials, textbooks, teacher mis-assignment or unsafe facilities on a Williams Uniform Complaint form.
  - a. Complaints can be anonymous but if a response is requested, the complainant must provide contact information.
  - b. File the written complaint with the building principal.
  - c. The principal shall resolve the complaint within 30 working days of receipt of the complaint.
  - d. Within 45 days the principal shall report the resolution to the Compliance Officer.
2. Appeal to Board of Trustees
  - a. If dissatisfied, the complainant may appeal to the local Board of Education.
  - b. Request must be in writing within 20 working days after receiving the Compliance Officer's decision.
  - c. Board will grant hearing request for the next regular meeting for which it can be placed on the agenda. The board will render its decision within 10 working days.
  - d. Complaints regarding a facility condition that poses an urgent threat to health and safety can be appealed to the Superintendent of Public Instruction.

## Responsibilities of the California

### Department of Education

1. Keeps a file for every written complaint received
2. Refers each complaint to the district for local resolutions when appropriate.
3. Requests a report of a local educational agency (LEA) action when appropriate. (LEA is Campbell Union High School District)
4. Conducts a mediation or investigation when:
  - a. The LEA fails to act within 60 days or an agreed-upon time line
  - b. A complainant appeals an LEA decision
  - c. The Department determines that direct intervention is necessary
5. Requires corrective action by the LEA concerning compliance issues identified through investigations of complaints.
6. Provides technical assistance to correct compliance issues.

### Referring a Complaint Issue to appropriate agencies within 15 days of the receipt of report

1. Allegations of child abuse to County Department of Social Services, CPS, or law enforcement agency.
2. Health and Safety complaint regarding a Child Development program referred to Department of Social Services.
3. Child Nutrition or Title IX should be referred to U.S. Office of Civil Rights Discrimination Complaints or to the State Department of Employment and Housing.

## Sexual Harassment

As stated in Board Policy 4321 Campbell Union High School District does not tolerate sexual harassment of or by any employee of the District. The Board considers sexual harassment to be a major offense which may result in disciplinary action or dismissal of the offending employee.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Behavior which constitutes sexual harassment includes:

1. Submission to the conduct is made either an explicit or implicit condition of employment
2. Submission to, or rejection of, the conduct is used as the basis for an employment decision
3. The harassment interferes with employee's work performance or creates an offensive work environment which may include jokes, innuendos and other comments of a sexual nature
4. Submission to, or rejection of, the conduct is the basis for decision affecting activities

### Procedures for Reporting Incidents of Sexual Harassment

1. Incidents should be immediately reported to direct supervisor or a district office administrator.
2. A signed written complaint should be filed with Meredyth Hudson Chief Human Resources Officer. Title IX complaints should be addressed to the Student Services Director.

### Management Response

Each reported incident of sexual harassment will be thoroughly and promptly investigated with the confidence and sensitivities of all persons involved in the incident protected.

*Standard Uniform Complaint Procedure* will serve to guide the investigation and response.

# UNIFORM COMPLAINT FORM

Please complete all information and send to the Chief Human Resources Officer, Campbell Union High School District, 3235 Union Ave, San Jose, California 95124

Please indicate whether you are:  An Employee or  A Student or Guardian  
Date: \_\_\_\_\_

\_\_\_\_\_  
Name of Complainant Phone (Day) School

\_\_\_\_\_  
Address Phone (Eve.) Name of Student

\_\_\_\_\_  
Name of Parent if not Complainant

Please check and complete "A", "B", or "C":

A. I am filing a complaint against a district employee: The employee's name is \_\_\_\_\_  
\_\_\_\_\_ and he/she works at \_\_\_\_\_.

I (have/have not) talked with the employee and his/her supervisor.

B. I am filing a complaint alleging a violation of federal or state statutes related to this program:

I (have/have not) talked with the principal/program manager.

C. I am filing a complaint alleging a violation of Board Policy and subject:

\_\_\_\_\_  
I (have/have not) talked with the Chief Human Resources Officer or Assistant Superintendent of Educational Services.

Please describe your complaint. Be as specific as possible, giving date of incident, name and time, and remedy sought.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Campbell Union High School District  
WILLIAMS UNIFORM COMPLAINT PROCEDURE

Complaints may be file anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below. Response requested: \_\_\_\_\_ **YES** \_\_\_\_\_ **NO**

Name: \_\_\_\_\_

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

Daytime Phone #: \_\_\_\_\_ Evening Phone # \_\_\_\_\_

**Issues(s) of the Complaint**

Please check all that may apply:

1. Textbooks and instructional materials:

- ~ A student lacks textbooks or instructional materials to use in class.
- ~ A student does not have access to instructional materials to use at home or after school to complete homework assignments.
- ~ Textbooks or instructional materials are in poor or unusable condition, have missing pages or are unreadable due to damage.

2. Teacher vacancy or misassignment:

- ~ A semester begins and a certificated teacher is not assigned to teach the class.
- ~ A teacher lacks credentials or training to teach English learner or is assigned to teach a class with more than 20% English learners in the class.
- ~ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions:

- ~ A condition exists that poses an emergency urgent or threat to the health or safety of student or staff as defined in AR1312.4.

Please describe the issue of your complaint in detail, including the date(s) of the problem and specific location where the problem occurred, e.g. school, room number. You may attach additional pages, if necessary to fully describe the situation.

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PLEASE FILE THIS COMPLAINT WITH YOUR SITE PRINCIPAL

**Attachment 7**

{M0154129}

# FOSTER YOUTH EDUCATION RIGHTS



## 1. RIGHT TO REMAIN IN YOUR SCHOOL OF ORIGIN

- You have the right to stay in the same school after you move to a new foster care placement. Your "school of origin" can be:
  1. The school you attended when you first entered foster care,
  2. The school you most recently attended, or
  3. Any school you attended in the last 15 months that you feel connected to.
- Your school district must work with you, your education rights holder,\* your caregiver, and your social worker/probation officer to develop a plan to transport you to your school of origin.
- If you are transitioning from elementary school to middle school or from middle school to high school, you have the right to transition to the same school as your classmates.
- If there is any disagreement about which school you will attend, you have the right to stay in your school of origin until the disagreement is resolved.

## 2. RIGHT TO IMMEDIATE ENROLLMENT IN SCHOOL

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

## 3. RIGHT TO PARTIAL CREDITS FOR HIGH SCHOOL STUDENTS

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

## 4. GRADUATION RIGHTS

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

## 5. COLLEGE RIGHTS

- You have the right to have the application fee waived when you apply to a community college in California.
- You have the right to receive the maximum amount of federal student aid and you may be eligible for up to \$5,000 per year from the Chafee scholarship.

## 6. SCHOOL DISCIPLINE RIGHTS

- You cannot be suspended for more than 5 school days in a row or for more than 20 days in a school year.
- You have a right to be told why you are being suspended and the right to provide your version of events and evidence before you are suspended, unless there is an emergency. If the behavior for which you are being suspended could subject you to criminal charges, you should consult with your education rights holder or attorney before providing an oral or written statement to the school or police.
- Your attorney and social worker must be invited to a meeting before your suspension can be extended beyond 5 days and a suspension can only be extended if you are being considered for expulsion.
- You have a right to a formal hearing, and to be represented by an attorney at that hearing, before you are expelled.
- If you are facing a possible expulsion, your attorney and social worker must be notified. If you are in special education, your attorney and social worker must be invited to a meeting to decide whether your behavior was related to your disability.

## 7. RIGHT TO YOUR SCHOOL RECORDS

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

## NON-EDUCATION RIGHTS

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



## \* EDUCATION RIGHTS HOLDERS

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



## If you believe your education rights have been violated,

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

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

## YOUR FOSTER YOUTH EDUCATIONAL LIAISON IS:

## AND CAN BE REACHED AT:



FyLK 42 CALIFORNIA FOSTER YOUTH EDUCATION AND BEYOND TASK FORCE

**ALLIANCE SAW**  
*for* **CHILDREN'S**  
**RIGHTS**