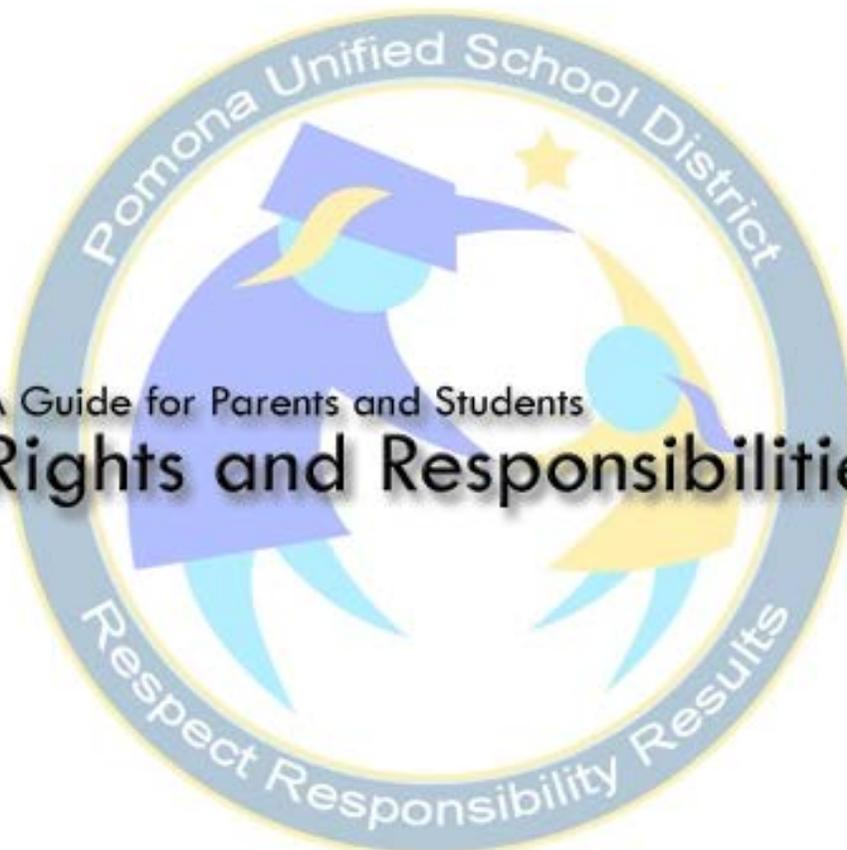


Pomona Unified

SCHOOL DISTRICT

Serving students from Pomona and Diamond Bar

800 South Garey Avenue Pomona, CA 91766



A Guide for Parents and Students

Rights and Responsibilities

Published by
Pomona Unified School District



OFFICE OF THE SUPERINTENDENT

Pomona Unified School District

800 South Garey Avenue, P.O. Box 2900, Pomona, California 91769

August 2017

Dear Parent/Guardian:

Welcome to another exciting year with the Pomona Unified School District. Pomona schools endeavor to provide a safe and secure school environment that enables pupils to flourish and grow into productive citizens and contributors to society. Excellence in education is accomplished through the collaborative efforts of committed professionals, community involvement, caring and engaged parents, and pupils who are encouraged and afforded the opportunity to reach their potential.

This booklet will serve as a resource of your rights and some of the District's policies and procedures. Please take the time to read this document and use it as a resource for any questions or concerns you may have.

Applicable laws, including California Education Code Section 48980, require that the Pomona Unified School District Board of Education annually notify parents of their parental rights and responsibilities. California law also requires that a parent/guardian acknowledge that they were informed how to access this information. The Acknowledgement of Notice Regarding Rights & Responsibilities form was included in your 2017-2018 school enrollment packet.

In the event that you have concerns about your child's education and rights, you are encouraged to talk to your school principal to try and resolve the issue immediately. There are more formal procedures in place, however, should you need the matter investigated or resolved by another party. To ensure the District's compliance with applicable federal and state laws and regulations, the District has designated Pupil and Community Services to assist with concerns. You may contact this department at (909) 397-4800 ext. 23950.

The District looks forward to serving you and your child in the upcoming year. For further information about the programs or policies mentioned in this publication, please refer to PUSD Program Directory (Attachment 6) under the appropriate department.

Sincerely,

Richard Martinez
Superintendent of Schools

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Q What is the Pomona Unified School District’s commitment to my child’s education?

• Mission Statement

The Pomona Unified School District provides a well-rounded and challenging educational program of the highest quality, empowering pupils to lead productive, fulfilling lives as lifelong learners. Supported on a foundation of integrity and respect, pupils will gain academic excellence and take personal and community pride as responsible citizens and productive contributors in a diverse society and global economy.

• Vision Statement

The Pomona Unified School District is a world-class educational system committed to:

Respect, where all pupils, parents, staff and community members are valued partners;
Relationships, where genuine and caring connections are built;
Responsibility, where everyone is accountable for what they say and do; and
Results, which reflect a high level of pupil achievement.

• The Board of Education - Your Elected Officials

The Board of Education is here to serve you and the children of Pomona and north Diamond Bar. A calendar of meetings is posted on the District website, www.pusd.org. Agendas are posted at the Education Center and the Adult School, and they are also available at the Diamond Bar and Pomona Public Libraries.

There are five members of the Board, who are elected to Trustee Area and serve four-year terms. You may call (909) 397-4800, ext. 23882 to leave a message for any of the following members:

Jason A. RothmanPresident
Roberta A. Perlman.....Vice President
Frank GuzmanMember
Adrienne Konigar-Macklin.....Member
Andrew Wong Member
Richard MartinezSuperintendent/Secretary to the Board

Q How can parents/guardians get involved?

Parent involvement is critical to a child’s success in school and is highly encouraged. Parents and guardians can become involved through PTAs, parent/teacher conferences, school site councils, volunteering, and a number of other ways. We can always use your help.

• School Visits/Observations

Parents and guardians are welcome to visit any of our schools. Contact the school principal to schedule a visit.

• Parent Participation

Parents and Guardians offer a unique support to their children’s educational experience when they participate in classroom and other activities. We encourage parents/guardians to observe and assist as a Parent Participant. Fill out the Parent Participation Form in the school office, sign in and

out each day you serve, and begin helping and supporting your child(ren) to further their learning experience.

- **School Volunteers**

Contact your school to see how to become a volunteer. Volunteering is an important way to support education. Pick up an application in your school office. Renewal applications are also available, for continuing volunteers who wish to keep serving in consecutive years. Apply early so you don't miss field trips.

- **Parent/Teacher Conferences**

Private meetings with teachers can be arranged throughout the school year to discuss your child's progress and specific educational needs. Teachers may also, on occasion, contact parents and guardians to discuss a child's individual requirements.

- **Back to School Night**

Each school has an annual Back to School Night where parents and guardians are invited to meet with teachers for classroom orientation. The evening provides parents with an overview of course work and teacher expectations. Individual schools announce Back to School Night schedules.

- **School Site Council**

The School Site Council is a team of the principal, teachers, other school personnel, parents, pupils, and community members that develop the mission and goals for the improvement of an individual school community. Contact your school to see how to become a member of the School Site Council.

- **English Learner Advisory Committee (ELAC)**

Schools with 21 or more English Learners (EL) students are required to have a site ELAC. The ELAC provides feedback to the school's programs and services for English learners. Each school site has the responsibility to send an alternate and a representative to attend the District English Learner Advisory Committee (DELAC) meeting. The group meets regularly throughout the year to facilitate the coordination of the District-wide program for English Learners and to serve as a two-way contact between District and site.

- **Site Advisory Council (SAC): Title I**

Each school site which receives Title I funds has an established Site Advisory Council which advises the Principal and the School Site Council on the development and implementation of a plan to involve parents and ~~narrow~~ close the academic achievement gap between high and low performing pupils. Each school site has the responsibility to send an alternate and a representative to attend the District Advisory Council: Title I. The group meets regularly throughout the year to facilitate the coordination of effective parent involvement activities throughout the District, improve pupil academic achievement, and to serve as a two-way contact between District and Site.

- **Parent Advisory Council (PAC)**

Each school site has the responsibility to send an alternate and a representative to attend the Parent Advisory Council to represent their respective school site at the District level. The group meets regularly throughout the year to give recommendations for the development of the Local Control Accountability Plan (LCAP) and to serve as a two-way contact between District and site.

- **Parent and Community Involvement Program**

The Parent and Community Involvement Program is offered as a way to help parents become more involved on campus. Parents, guardians, and community members help pupils with academics and co-curricular activities and interact with pupils throughout the school day. The Parent and Community Involvement Program provides school orientations and serves as a resource for parenting and self-improvement classes.

- **Parent Teacher Association (PTA), Parent Teacher Organization (PTO), Parent Teacher Student Association (PTSA), and Parent Teacher Student Organization (PTSO)**

Many of our schools have active PTAs, PTOs, PTSAs, or PTSOs that work to enhance student services and provide a forum for open discussion on various issues that are of concern to parents and guardians. Each PTA/PTO is actively involved with the school principal, as well as some teachers (pupils are members of the PTSAs and PTSOs). Fundraising efforts aim to support various activities, such as cultural arts programs, field trips, and classroom special events.

- **Pomona Unified School District Council of PTAs**

Existing PTA Units, at individual school sites, are supported by the Pomona USD Council of PTAs. The Council provides support to PTA Officers and assists in ensuring that each unit functions effectively according to each participant's role, responsibility, and authority. Additionally the Council supports the establishment of new PTA Units throughout the school district.

Parents and Teachers are encouraged to form PTA Units at school sites to help enrich all areas of school life. The PTA is dedicated to the well-being of all children and can strengthen and improve the education of all pupils by tapping into community talents, and resources to be used for the entire school.

- **Booster Clubs**

Booster Clubs at each of our high schools support extracurricular activities, such as athletics and band. Parents help organize fund-raisers, chaperone out of town games and activities, and lend the coaches and directors a helping hand. Call your high school to find out how to get involved in the Boosters.

- **Prospectus of School Curriculum**

Each school must annually compile a Prospectus of School Curriculum that includes titles, descriptions and instructional goals of every course offered by the school. Please contact the school office for a copy of the prospectus.

- **School Accountability Report Card**

The School Accountability Report Card for each District school is available for parents online at www.pusd.org.

Q What are the District's residency and attendance policies?

- **A Message for Pupils**

You are our greatest resource. You are the future. We want you to enjoy the advantages that are available only through education. On-time daily school attendance and consistent hard work are your keys to success. We want you to have pride in yourself and in your school. We want you to have a productive and prosperous future.

- **Residency Requirements**

A pupil is considered a resident of the District in any of the following circumstances:

- 1) the pupil's parent or guardian resides in the District; or
- 2) the pupil is placed in a foster home or children's institution within the District; or
- 3) the pupil has been granted an Interdistrict transfer by the District; or
- 4) the pupil is an emancipated minor and resides in the District; or
- 5) the pupil lives in the home of a care-giving adult that is located in the District, so long as a Caregiver's Affidavit Form (which can be obtained at the school of attendance) has been properly completed; or
- 6) the pupil resides in a state hospital located in the District; or
- 7) upon approval, a pupil whose parent or guardian is physically employed within the boundaries of the District for a minimum of 10 hours during the school week; or
- 8) a pupil resides outside the District, who due to a temporary disability, is in a hospital or residential health facility located in the District and the parent or guardian has notified the District of the pupil's presence in a qualifying hospital.

- **Homeless Youth Education**

Homeless children and youth are afforded certain rights and protections through the McKinney-Vento Act. Unaccompanied youth, such as teen parents not living with their parent/guardian or pupils that have run away or have been pushed out of their homes, have access to these same rights. These rights include:

1. Liaison contact information.
2. Circumstances for eligibility (*e.g.*, living in a shelter, a motel, hotel, a house or apartment with more than one family because of economic hardship or loss, in an abandoned building, in a car, at a campground, or on the street, in temporary foster care or with an adult who is not your parent or guardian, in substandard housing, or with friends or family because you are a runaway, unaccompanied, or migrant youth).
3. Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers.
4. Right to education and other services (*e.g.*, to participate fully in all school activities and programs for which child is eligible, to qualify automatically for nutrition programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment).
5. Right to be notified of possibility of graduating within four years with reduced state requirements, if the homeless pupil transferred after the second year of high school, is credit deficient, and will not be able to graduate on time with local district requirements.

6. Right for district to accept partial credits for courses that have been satisfactorily completed by the homeless pupil.

- **Foster Youth**

Foster and homeless youth are allowed educational rights, such as: immediate enrollment, remain in school of origin, enrollment in local comprehensive school, partial credits, graduation with state minimum requirements with possible fifth year/exemption from local graduation requirements, and access to academic resources, services and extracurricular activities. A local educational agency must provide a remedy to the affected pupil following the Uniform Complaint Procedures, including information regarding exemption from local graduation requirements, if educational rights are not allowed at the public high school.

- **Attendance Options – Within the District**

Parent/guardian must fill out an Intradistrict Transfer Form to request a transfer to another school within the Pomona Unified School District. The District may not be obligated to provide transportation for pupils who attend school outside of their attendance areas. Parents of high school athletes should check on eligibility rules. Forms are available from your school of residence or the Pupil Resources Department.

All Intradistrict transfers are approved on a “space available” basis. The Board of Education reviews enrollment figures each year to determine if enough space is available for enrollment for the following reasons:

- 1) Documented severe persistent social adjustment problems.
- 2) K-8 pupil to enroll in a school near childcare.
- 3) Child may attend the same school as a sibling in Special Education if there are supervision problems.
- 4) Serious difficulties related to physical problems.
- 5) Serious emotional problems-verified by school psychologist.
- 6) Subjects or programs offered in transfer school.
- 7) Recommendation by a qualified professional, subject to District approval.
- 8) Parents move during the school year. Documentation required.
- 9) Other special circumstances granted at the discretion of the Superintendent or designee.

Additional information about attendance options may be obtained by calling Pupil Resources at (909) 397-4648, ext. 28200.

- **Attendance Options - Outside the District**

Parent/guardian must fill out an Interdistrict Transfer Form to request a transfer to another school outside the District for a period of up to five years. Forms are available from the Pupil Resources Department, 851 S. Hamilton Blvd. Pomona, CA 91766. Interdistrict transfers may be approved when they meet the following criteria and show supporting documentation:

- 1) K-8 childcare needs of pupil are met outside the district of residency.
- 2) Mental or physical health needs to be documented by an approved professional or child welfare agency.
- 3) Complete current semester or school year in current school of enrollment when parents have moved during the school year.
- 4) Allow seniors to attend the same school as they attended as a junior, even if parents moved from district during junior year (senior privilege).

- 5) Recommendation from school site or county offices in documented cases of severe on-going home or community safety concerns.
- 6) A pupil who has been determined by personnel of either the home or receiving district to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent or legal guardian, be given priority for interdistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement.
- 7) Parent works within district boundaries a minimum of 10 hours during the school week.

If an Interdistrict or Intradistrict Transfer Request has been denied, the parent/guardian may appeal the decision by making an appointment with the Director of Pupil Resources at (909) 397-4648, ext. 28200. If necessary, an appeal can also be made to the Superintendent's Office. If the Interdistrict Transfer Request is not resolved within the district, it may be appealed to the Los Angeles County Board of Education.

• Public School Choice under No Child Left Behind (NCLB) School Improvement Programs

The Every Student Succeeds Act (ESSA) replaced the No Child Left Behind Act. Students granted transfers under NCLB will continue to be eligible for transportation up to the highest grade level at the school currently attending. No new transfers will be granted under NCLB.

• Open Enrollment Act

Under state law, the Open Enrollment Act, the State Superintendent of Public Instruction has compiled a list of 1,000 low-achieving schools to be considered Open Enrollment Schools. These schools range from deciles 1 to 6 on the Academic Performance Index (API) and may include schools with an API score of 800 or above. Pupils attending these schools have the option to request a transfer to another school within the District or to another district. Additional information can be obtained at the Pupil Resources Office.

• Entrance Health Screening

State law requires that the parent or legal guardian of each pupil provide the school within 90 days after entrance into first grade documentary proof that the pupil has received a health screening examination by a doctor within the prior 18 months. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available for eligible students through the Child Health Disabilities Prevention Program.

• Oral Health Assessment

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31st of the pupil's first school year.

• Important Information about School Funding and Your Child's Attendance

(California Education Code section 48200)

The Pomona Unified School District believes that regular attendance plays a key role in the success a pupil achieves in school. The Board recognizes its responsibility under the law to ensure that pupils attend school on a regular basis. Parents/guardians of children between the ages of six (6) and eighteen (18) are responsible for sending their children to school full-time.

The District urges parents to make sure their children attend school regularly and to schedule medical and other appointments so that a pupil misses none, or only a small portion of the school day. The District also asks that travel or other absences be avoided during the time school is in

session. The higher the District's daily attendance rate, the greater the amount of funding that the District will receive from the state for classroom instruction and academic programs that support student achievement. The school calendar is designed to minimize problems for families who plan vacations around traditional holiday periods, and thereby minimize pupil absences.

If you find it necessary to keep your child out of school for reasons other than illness, we encourage you to send your child to school for at least part of the day so your child will receive some classroom instruction and be able to get school assignments. We encourage you, as parents, to avoid unnecessary absences that reduce your child's opportunity to obtain good grades and reduce District resources. As of July 1998, the state does not provide funding to the District for any pupil absences, whether excused or unexcused. It is critical that local schools continue to receive the financial resources necessary to provide quality educational services and reduce program cuts.

• **The Law of Compulsory Education**

(CA Education Code section 48200)

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

The attendance supervisor (or designee), a peace officer, a school administrator or his or her designee, or a probation officer may arrest or assume temporary custody, during school hours, of any minor subject to compulsory full-time education or to compulsory continuation education found away from his or her home and who is absent from school without valid excuse within the county, city, or school district.

Tardiness

Children should be encouraged to be prompt as part of their training. They are expected to be at school on time. If a child is late, the child should bring an excuse from home to the school office. Frequent tardiness without a valid excuse is considered truancy under state law.

Truancy (EC 48260, 48262 and 48263.6)

Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse three full days in one school year, or tardy for more than any 30-minute period without a valid excuse on three occasions in one school year, or any combination thereof, is initially classified a "truant" and will be reported to Child Welfare and Attendance. A student who has been reported as a truant and continues to be absent shall be classified as a "habitual truant." A pupil who is absent from school without a valid excuse for 18 or more schooldays in one school year, from the date of enrollment to the current date, is considered a "chronic truant." Unexcused absences are all absences that do not fall within CEC § 48205.

Upon a pupil's initial classification as a truant, the District shall notify the pupil's parent or guardian, by first-class mail or other reasonable means, of the following:

- 1) That the pupil is truant.
- 2) That the parent or guardian is obligated to compel the attendance of the pupil at school.
- 3) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution.
- 4) That alternative educational programs are available in the District.
- 5) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- 6) That the pupil may be subject to prosecution
- 7) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving.

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

Upon a pupils 6th unexcused absence, the district shall request that parent/s and child/children attend a School Attendance Review Team (S.A.R.T.) meeting. Continued unexcused absence/s after a S.A.R.T. will prompt the school to refer parents and child/children to a School Attendance Review Board (S.A.R.B.) Hearing at the District Level.

Any parent/guardian/pupil who fails to comply with the truancy laws is guilty of an infraction which may result in a fine of up to \$2,500 and/or one year in the County jail, per child.

• **Exemption from Compulsory Attendance**

(CA Education Code sections 48220-48232)

These children shall be exempted from the requirements of attendance in a public full-time day school:

- 1) Children who are being instructed in a verified and State approved private full-time day school.
- 2) Children not attending a private, full-time day school and who are being instructed for at least three hours a day for 175 days each calendar year by a private state credentialed tutor.
- 3) Children between 12 and 18 years of age who enter an attendance area from another state within 10 school days before the end of the school term during which such entrance occurs are exempt for the remainder of the school term.

• **Excused Absences**

(CA Education Code section 48205)

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction.

No pupil shall have his or her grade reduced or lose academic credit for any excused absence or absences, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

- a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
 - 1) Due to personal illness. Children should not be sent to school when they are ill.
 - 2) Due to quarantine under the direction of a county or city health officer.
 - 3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
 - 4) For the purpose of jury duty in the manner provided for by law.
 - 5) The illness or medical appointment during school hours of a child to whom the pupil is the custodial parent.
 - 6) For the purpose of serving as a member of a precinct board for an election.
 - 7) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California. Members of the immediate family include mother, father, grandparents, siblings, or any relative living in the immediate household of the pupil.
 - 8) For justifiable personal reasons, including but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence has been requested in writing by the

parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.,

- 9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester
- d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

• **Unexcused Absence**

Unexcused absences are defined as any absences not identified above and include, but are not limited to, the following: family vacations, trips to care for ailing relatives, childcare of ill siblings, childcare of siblings so parent can work, no transportation, and any unverified absences.

• **Excessive Excused Absences**

Excessive excused absences are also monitored. Your child's school will try to contact parents if a pattern of excused absences is noticed. Your school's administration can assist you with medical referrals, or discuss plans to improve attendance, or recommend alternative education programs within the District. Our goal is to promote your pupils success by regularly attending school.

The school district office will send an Excessive Excused Absence (EEA) letter upon the 6th "excused by parent/guardian" absence. When a pupil has had 6 absences in the school year for illness, verified by parent/guardian contact only, any further absences for illness shall be verified by a physician. If not verified by a physician or school official the absence/s will be unexcused.

• **Pupils with Temporary Disability**

A pupil with a temporary disability, which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable, may receive individualized instruction provided in the pupil's home for one hour a day. A "temporary disability" means a physical, mental, or emotional disability incurred while the pupil is enrolled in regular school, after which the pupil can reasonably be expected to return to regular day classes or an alternative education program without special intervention.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of the pupil with a temporary disability.

Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less. (EC §§48980(b), 48206.3, 48207, 48208). For more information about the process contact your child's school.

• **Abolish Chronic Truancy (ACT) Program**

The district has partnered with the District Attorney (DA) Office to implement the ACT program at targeted schools. The DA office is very serious about ending truancy. We want parents to understand their legal responsibility to send their child/children to school. Through ACT we will direct families to community resources to assist in overcoming the obstacles to their child/children's school attendance. If necessary, the DA office will take legal action against parents and/or their child/children to ensure that all children attend school.

Specially trained DA personnel, along with school administrators and teachers will work directly with parents and pupils to resolve problems that contribute to truancy and get pupils back in the classroom. The ACT program is a three step process:

1. Pupils with school attendance problems are identified and placed into the ACT program. They and their parents are required to attend a meeting with school officials and DA personnel. If school attendance problems continue, the pupil and his/her parents are referred to a School Attendance Review Team (SART) for further intervention.
2. SART provides one-on-one intervention that gives individualized attention to the family and pupil. Efforts are made to determine the reasons behind the child's excessive absences and resolve them. If this does not produce satisfactory school attendance, the pupil and parents are referred to the district-level School Attendance Review Board (SARB).
3. SARB offers a last chance to resolve the truancy problem through intervention, placement and/or assistance. If truancy continues, parents and pupils may be referred to the District Attorney's Office for mediation or prosecution.

While prosecution can result from ACT intervention, the focus of the program is not to punish parents and pupils, but to educate families and keep children in school. Education is as essential as food, clothing, and shelter in a child's life. Additional information about ACT, SART, and SARB may be obtained by calling the office of **Pupil Resources, Child Welfare and Attendance**, (909) 397-4648, ext. 28352.

Q What resources are available to help my child at school?

• **Gifted and Talented Education (GATE) Honors Program**

The GATE program, which is available for elementary through high school pupils, is designed to meet the exceptional learning and developmental needs of identified GATE pupils. GATE pupils receive differentiated instruction throughout the week, including honors or advanced placement classes; post-secondary education opportunities; extended learning opportunities, which involve pupils and parents; accelerated learning and placement; independent study; and mentoring programs. Your school plan describes the programs available at your school.

- **Title I**

Title I provides supplemental funds to be used to narrow the educational gap for disadvantaged children. Pupils at Title I schools receive extra assistance in math and language arts to improve their academic achievement.

- **State Program for English Learners (EL)**

The major goal for English Learners (EL - known as limited-English-proficient pupils) is to acquire full proficiency as rapidly and as effectively as possible and attain parity with average native speakers of English. The second goal is for English learners to, within a reasonable period of time, achieve the same rigorous grade-level academic standards that are expected of all students. The progress toward meeting these goals will occur in an established English language classroom or in an alternative course of study with curriculum designed for such pupils to have access to grade level standards-based instruction. English learners who acquire a good working knowledge of English during a temporary transition period and meet the District's transfer criteria are then transferred into English language mainstream classrooms. English learners are re-designated as fluent English proficient (FEP) after meeting established criteria to ensure that these pupils have overcome language barriers, have recouped any academic deficits incurred in other areas of the curriculum, and can demonstrate English language proficiency comparable to that of the District's average native English language speakers.

- **Pupil Success Team (SST)**

SST is a group problem-solving process that involves the parent and pupil in a positive discussion of the pupil's strengths, prior interventions, known information, possible strategies and an action plan to address pupil concerns including academics, attendance and behavior.

- **Special Education Services - Individuals with Disabilities Education Act (IDEA)**

The IDEA provides federal financial assistance to state and local education agencies to guarantee special education and related services to eligible children with disabilities. The IDEA protects children from birth to 21 years of age who meet one of 13 specific disability categories, and who need special education and related services. State and federal regulations require school districts to notify all parents of individual protections and due process procedural safeguards relative to the placement of pupils in special education programs.

- **504 Accommodations (Rehabilitation Act of 1973)**

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

- **District Educational Alternatives**

See Attachment 7. Some pupils perform better in alternative education environments. Pupils may be placed in one of the following alternative programs, based on a pupil's particular needs:

Independent Study/Blended Learning - This is a voluntary program where the pupil works on his/her own at home with minimal guidance and instruction from a teacher (Grades 7 – 12 only). For more information contact the School of Extended Educational Options (SEEO) at (909) 397-4900 x2400.

Alternative School – This can be a voluntary or involuntary program for grades 7-9. It allows pupils to work in a smaller educational environment to accommodate their needs. For more information contact the Pomona Alternative School at (909) 397-4900 x2300.

Continuation School – This can be a voluntary or involuntary program for grades 10-12. It allows pupils to work in a smaller educational environment to accommodate their needs. For more information contact the Park West High School at (909) 397-4900 x2300.

Community Day School - This is an involuntary program that is for expelled pupils and focuses on curriculum and personal skill building. For more information contact the Community Day School at (909) 397-4491 x26510.

• **Migrant Education**

The goal of the Migrant Education Program is to ensure that all migrant students reach challenging academic standards and graduate with a high school diploma (or complete a GED) that prepares them for responsible citizenship, further learning, and productive employment. Funds support high quality education programs for migratory children including supportive services that address their special needs. These services include: academic instruction on Saturdays; remedial and compensatory instruction, vocational instruction, career education services, academic counseling, health services referrals and preschool services. School districts receiving migrant education funds or services are required to actively solicit the involvement of parents of migratory children in the planning, operation, and evaluation of its programs through the establishment of, and consultation with, a parent advisory council. The composition of the council shall be determined by the parents at a general meeting to which all parents of pupils enrolled in the migrant program shall be invited. School districts are also required to notify parents, in a language they understand, that they have sole authority to decide on the composition of council. All parent candidates for the council shall be nominated by parents. Each parent advisory council shall hold meetings on a regular basis during the operation of the regular program, but not less than six times during the year.

• **Counseling and Career Guidance**

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

• **Cal Grant Program**

A Cal Grant is money for college that does not have to be paid back. To qualify, a pupil must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent and career colleges or technical schools in California also take Cal Grants.

In order to assist students in applying for financial aid, all students in grade 12 are automatically considered a Cal Grant applicant and each grade 12 student's GPA will be submitted to the California Student Aid Commission (CASC) electronically by a school or school district official. A student, or parent/guardian of a student under 18 years of age, may complete a form to indicate that he/she does not wish for the school to electronically send CASC the student's GPA. Until a student turns 18 years of age, only the parent/guardian may opt out the student. Once a student turns 18 years of age, only the student may opt himself/herself out, and can opt in if the parent/guardian had previously decided to opt out the student. All grade 12 students' GPA will be sent to CASC by March 2. See Form 4 for additional information regarding the Cal Grant Program.

• Health Services

School Nurses and Health Services Assistants are available at the schools to help with a wide range of health needs. School Nurses provide health assessments for students experiencing academic problems; conduct hearing, vision and scoliosis screenings; provide counseling for students with physical, social and emotional problems; assist families with referrals for further diagnosis and treatment services, and teach age-appropriate health education. School Nurses and Health Services Assistants provide on-site first aid care for minor injuries; and administer medications and perform specialized health care procedures with parent consent and as ordered by the student's physician. As a parent/guardian here are some other things you should know about the health services provided by the District:

- School personnel may release any student in grades 7-12 to obtain confidential medical services without contacting the parent/guardian. (EC§46010.1)
Note: A November 2004 Attorney General Opinion further provides that the district may not adopt a policy under which the district will notify the parent when the student leaves school, nor may the district require written parental consent prior to releasing a student from school to obtain confidential medical services.
- Registered and/or Licensed Nurses, employed by Pomona Unified School District, may provide required immunizations to students if parents have given written consent. (EC§§49403, 48980(a))
- Students may be assisted by the School Nurse or other designated school personnel with prescribed medications during the school day if a doctor writes an order that states the method, dosage and time schedules by which such medication is to be administered AND the parent requests, in writing, that the District assist the student in following doctor's orders AND supplies the medication in a properly labeled container. (EC§§49423, 48980(a))
- Any pupil who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry a self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives both a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken and a written statement from the parent or guardian requesting the school district assist the pupil with prescribed medication as set forth in the physician statement. (EC§§48980(a), 49423, 49423.1)
- A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists. (EC§§48980(a), 49451)

- The parent or legal guardian of any pupil taking medication on a regular basis must inform the school nurse of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil. (EC 49480)
- If a pupil with epilepsy has been prescribed an emergency antiseizure medication by his or her health care provider, the pupil's parent or guardian may request the pupil's school to have one or more of its employees receive training in the administration of an emergency antiseizure medication in the event that the pupil suffers a seizure when a nurse is not available. (EC 49414.7)
- **Immunizations** * - Students must be immunized against certain communicable diseases. Students are prohibited from attending school until the immunization requirements are met for age and grade. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing
- * Beginning January 1, 2016, parents of students in any school, will no longer be allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the next grade span at kindergarten (including transitional kindergarten) or 7th grade.

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above.

• **School Mental Health Services (SMHS)**

Services are designed to fill service gaps in existing mental health services, implement mental health services, provide prevention and intervention activities, and reduce violence and drug use among high-risk, high-potential youth. SMHS provides assessment, case management, and treatment for pupils and their families in all grade levels. For further information, please call 909-397-4491 extension 26501

• **Family Support & Resource Center (FSRC)**

FSRC provides case management, linkage, and referrals to community services such as: Alcohol and Drug Abuse Treatment and Recovery, Domestic Violence, Mental Health, Regional Center, Child Care, Food Banks, Parenting Education, and Family Fun Activities. Also provided are limited emergency basic needs (food, clothing and shelter). Through the generous donations of

community partners and staff, FSRC is able to provide to eligible children backpacks filled with school supplies, new shoes from *Shoes That Fit*, and new clothing from Operation *School Bell*. Referrals for Health Care, including physical exams, are available to children without insurance. Other services are available. For more information contact the office at (909) 397-4491 ext. 26501.

- **Health Care Coverage**

Your child and family may be eligible for free or low-cost health coverage. For information about healthcare coverage options and enrollment assistance go to www.CoveredCA.com.

- **LEA MEDI-CAL**

Pomona Unified School District, in cooperation with the California Departments of Health Services and Education, has a program to allow the District to be reimbursed with federal Medicaid dollars for selected health services provided to eligible pupils at school. In accordance with Local Education Agency rules and guidelines, we are notifying you that eligible pupil records may be forwarded to the District's billing agency. These records will be forwarded in a confidential manner. Our vendor holds a contract with the District that contains a specific confidentiality clause to ensure information is not disclosed inappropriately; further, our vendor is HIPAA compliant (Federal Health Insurance Portability & Accountability Act.)

This program will not change school health services currently provided to all pupils. Pupils will not be denied services they require to attend school, and the District will never bill parents for services.

- **Peer Mediation and Conflict Resolution**

Sometimes a middle or high school pupil will seek advice from their peers rather than a parent, teacher, or other adult. The middle and high schools have trained and supervised pupil counselors who provide mediation and conflict resolution services to their peers.

- **Tobacco Use Prevention Education Programs (TUPE)**

TUPE provides opportunities for schools, communities, businesses, and families to work together to develop and implement comprehensive programs to prevent drug, alcohol, and tobacco use in youth. The TUPE program includes pupils in grades 7-12.

- **School Meal Program for Grades K-12**

(EC§48980(a))

Food and Nutrition Services offers a paid meal program as well as a Free and Reduced-price Meal Program. Free or reduced-price lunches are available at school for pupil's whose parents or legal guardians qualify, based on annual household income, and completing the required application form. In certain cases households that receive CalFresh (food stamps), assistance from the California Work Opportunity and Responsibility to Kids (CalWORKS), or Food Distribution Program on Indian Reservations (FDPIR) may be automatically eligible for the Free and Reduced-price Meal Program. Applications are available in the Food and Nutrition Services Office, 1460 E. Holt Ave., Suite 160, Pomona, Monday – Friday 8:00 a.m. – 4:00 p.m. For additional information call (909) 397-4711 x 3033 21120.

Q How will my child's progress be tested and reported?

Pomona Unified has several methods to assess its pupils, in addition to the report cards sent home to parents. Pupils will be assessed for the state standards in English language development, history/social science, math, English language art / literacy, and science. The District Interim Assessment (DIA) program will assess pupils' progress towards meeting math and literacy competencies required determining the student's level of college and career readiness. In addition, the DIA assists school in determining instructional strategies for teaching the state standards that are part of the California Assessment of Student Performance and Progress (CAASPP) program.

Pupils in first and second grade will be assessed with the Developmental Online Reading Assessment (DORA). The tests assess reading and language arts. Parents will receive a report card with the DORA scores.

A brief description for each state mandated testing programs is listed below:

- **California Assessment of Student Performance and Progress (CAASPP)**

The State of California has mandated testing for all pupils in grades three through eight and grade eleven. Pupils are assessed with California Standard Tests and/or Standards-based Test in Spanish. Pupils with disabilities may take the California Alternate Assessment in place of the exams listed above. Pupils are assessed in the areas of reading, language, math, and science. Please note that some content area exams may not be administered at specified grade levels. Parents receive a CAASPP Pupil Report that describes their child's performance on the exams. Parents may annually submit a written request to the school administration for students to be excused from the test.

- **California High School Exit Examination (CAHSEE)**

The California High School Exit Exam (CAHSEE) has been suspended for any pupils completing grade 12 through the 2017-18 school years. All schools, including state special schools, are to grant a diploma of graduation from high school to any pupil who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination.

- **California High School Proficiency Exam.**

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

- **California English Language Development Test (CELDT)/English Language Proficiency Assessments for California (ELPAC)**

The State of California has mandated testing for all English learners grades K-12. Pupils are assessed with CELDT/ELPAC in the areas of listening, speaking, reading, and writing. Parents are informed of their child's performance on the test.

- **Advanced Placement Fees**

Eligible high school students may receive financial assistance to help cover the costs of the advanced placement examination fees. Please contact your school counselor for information.

- **Physical Fitness Tests**

The state requires physical fitness testing annually for fifth, seventh, and ninth grade pupils. The test measures aerobic capacity, muscle strength, flexibility, and body composition.

- **High School Graduation Requirements**

PUSD requires pupils to complete a minimum of 220 credits. This includes 40 credits of English; 30 credits of Mathematics including algebra 1; 30 credits of Social Science; 20 credits of science including biology and physical science; 10 credits of either foreign language, sign language or visual and performing arts; 20 credits of physical education; 10 credits of applied arts or vocational-technical arts; 5 credits of computer and multi-media literacy; 5 credits of health; and 50 credits of elective courses.

- **College Admission Requirements**

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for pupils who wish to continue their education after high school.

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

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

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

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

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

Pupils may also explore career options through career technical education. These are programs and classes offered by a school that are specifically focused on career preparation and/or preparation for work. The programs and classes are integrated with academic courses and support academic achievement. Pupils can learn more about career technical education by referring to the following webpage: www.cde.ca.gov/ds/si/rp.

You may meet with a school counselor to choose courses at your school that will meet college admission requirements or enroll in career technical education courses, or both.

The District advises parents/guardians of the importance of investing for future college or university education for their children and considering appropriate investment options including, but not limited to Savings Bonds.

Q What athletic and other activities can my child get involved in at school?

- **Competitive Athletics**

Commencing with the 2015-2016 school year and every year thereafter, each public elementary

and secondary school, including each charter school, that offers competitive athletics, shall publicly make available at the end of the school year all of the following information:

1. The total enrollment of the school, classified by gender.
2. The number of pupils enrolled at the school who participate in competitive athletics, classified by gender.
3. The number of boys' and girls' teams, classified by sport and by competition level.
4. "Competitive athletics" means sports where the activity has coaches, a governing organization, and practices, and competes during a defined season, and has competition as its primary goal.

• **Co-curricular and Extracurricular activities**

High and Middle School: Co-curricular and extracurricular activities can help round out your child's educational experience. Many clubs and activities are available at our middle and high schools for those who want to be involved and who maintain the required grade point average. To participate, pupils must be making satisfactory educational progress and must maintain a 2.0 grade point average with no more than one failing grade. Activities include, but are not limited to: band, cheerleading, science and math clubs, service clubs, Army Jr. Reserve Officers Training Corps (JROTC), and pupil government. In addition, our middle and high schools offer a wide variety of athletic activities, including football, soccer, baseball, basketball, track, and tennis. Every school's co-curricular and extracurricular program is unique, so call your child's school for more information about these and other activities.

All programs, activities, and pupil clubs are available to all pupils without regard to actual or perceived ancestry, age, color, mental or physical disability, gender, gender identity, gender expression, nationality, race, ethnicity, religion, sex, sexual orientation, genetic information, or association with a person or a group with one or more of these actual or perceived characteristics or parental, family or marital status.

Sex-segregated programs, activities, and facilities, including the participation on all sex-segregated athletic teams and in all sex-segregated competitions, shall be available to all pupils on the basis of their individual gender identity, irrespective of the gender listed on a pupil's records.(EC § 221.5(f))

• **Physical Education**

The physical education program allows each pupil to participate in a variety of activities at a level of skill that produces a feeling of satisfaction and achievement. Pupils are expected to dress appropriately and participate in physical education each day.

• **Pupil Insurance**

The Pomona Unified School District does not provide or make available medical or hospital services for pupils injured while participating in athletic activities. Pupils cannot participate in any athletic activities without proof of medical insurance.

• **Health Insurance Coverage for Athletes**

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses.

Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling the toll free telephone number of the Healthy Families Program, Medi-Cal, or any other comparable toll-free telephone number for a no- or low-cost local, state, or federally sponsored health insurance program. The phone number is 800-880-5305. See www.allinforhealth.org/health4allkids

• **Concussion and Head Injury**

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course. *See Attachment 8 and Form 5*

• **Off-Campus Lunch**

The governing board of the Pomona Unified School District, pursuant to Education Code 44808.5, has decided to permit the students enrolled at some High Schools to leave the school grounds during the lunch period. Contact the school to obtain more information and sign a parent consent form.

Neither the school district nor any officer or employee shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section.

• **Field Trips**

Many of our schools offer field trips, away from the school site, to help broaden a pupil's educational experience. School employees will ensure proper supervision is available on all school-sponsored trips involving pupils. We encourage parents to attend field trips as a chaperone whenever possible (Apply early to volunteer). No pupil may participate in an educational trip until a signed emergency card and permission slip have been obtained from the parent/guardian.

Q How safe is my child at school?

We take the security of our pupils very seriously and have taken a number of steps to ensure their safety. After all, every child deserves a safe learning environment. Please take a moment to

read this section so you are familiar with what happens in case of an emergency during school hours.

- **Safe Place to Learn Act**

The Pomona Unified School District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. . All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion. To report an incidence and/or to receive a copy of the district's antidiscrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact Community and Employee Relations (909) 397-4800 ext. 23950.

- **NonDiscrimination/Harassment**

The Pomona Unified School District is committed to providing a safe environment where all individuals in education are afforded equal opportunities. The District's academic and other educational support programs, services and activities shall be free from discrimination, harassment, intimidation, and bullying of any individual based on the person's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Specifically, state law prohibits discrimination on the basis of gender in enrollment, counseling, and the availability of physical education, athletic activities, and sports. Transgender students shall be permitted to participate in gender-segregated school programs and activities (e.g., athletic teams, sports competitions, and field trips) and to use facilities consistent with their gender identity. The District assures that lack of English language skills will not be a barrier to admission or participation in District programs. Complaints of unlawful discrimination, harassment, intimidation, or bullying are investigated through the Uniform Complaint Process. Such complaints must be filed no later than six months after knowledge of the alleged discrimination was first obtained. For a complaint form or additional information, see *Attachments 2 and 4 and Form 2*.

- **Married/Pregnant/Parenting Pupils**

The district shall not discriminate against any pupil on the basis of the pupil's actual or potential parental, family, or marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery nor shall these pupils be treated differently on the basis of their sex. (Education Code 230; 20 USC 1681-1688). *See Form 2*.

- **Lactation Accommodations**

Any school operated by the district, only if there is at least one lactating pupil on the school campus, is required to provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. These reasonable accommodations include, but are not limited to, access to a private and

secure room, other than a restroom, to express breast milk or breast-feed an infant child, permission to bring onto a school campus any equipment used to express breast milk, access to a power source for that equipment, and access to a place to safely store expressed breast milk.

A lactating pupil on campus must be given a reasonable amount of time to accommodate the need to express breast milk or breast-feed an infant child. A pupil is prohibited from incurring an academic penalty as a result of her use, during the school day, of these reasonable accommodations. Complaints of noncompliance with these requirements are authorized to be filed with the local education agency which will respond in accordance with specified procedures. A complainant is authorized to appeal a decision of the local educational agency to the State Department of Education which will issue a written decision within 60 days of its receipt of the appeal. The local education agency will provide a remedy to the affected pupil if it finds merit in a complaint or if the Superintendent of Public Instruction finds merit in an appeal.

- **Sexual Harassment of or by Employees or Pupils**

The Pomona Unified School District is committed to maintaining a learning and working environment that is free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district may be subject to disciplinary action up to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. For a copy of the district's sexual harassment policy or to report incidences of sexual harassment, *see Attachments 3 and 4 and Form 2*.

- **Hazing Prohibition**

District policy prohibits pupils or other persons in attendance at any public school from conspiring or engaging in any activity which causes or is likely to cause bodily injury, physical harm, personal degradation or disgrace resulting in physical or mental harm, to any pupil or person attending school. Immediately contact your principal if you suspect any hazing. You may elect to submit a complaint form. (EC§48900(q)) *See Attachment 4 and Form 2*.

- **Bullying**

The District will not tolerate bullying or any behavior that infringes on the safety or well-being of pupils, staff, or any other persons within the District's jurisdiction whether directed at an individual or group. Immediately contact your principal if you suspect any bullying. You may elect to submit a complaint form. (EC§48900(r)) *See Attachment 4 and Form 2*.

- **School Safety Plan**

Each Pomona Unified School District school site has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office. Fire and emergency drills are held periodically at each school. Please call your school to receive a copy of this plan if they have not already provided one to you.

- **Access to Internet**

The District provides the use of computers, electronic networks and the Internet to provide access to information for educational purposes and other types of learning activities. The District has taken reasonable steps to ensure that this technology is used only for educational purposes. The District has a Pupil Internet Acceptable Use Policy. Annually, parents/guardians must sign this user agreement in order for pupils to access computing equipment. Your school will provide the form. The Pomona Unified School District prides itself on providing a safe learning environment for its

pupils. An emerging national concern is the inappropriate use of the Internet by pupils. This problem has the potential to be harmful, and we ask your support in assisting us with this challenge. The Pomona Unified School District has blocked the use of these social networking Web sites from our school computers. We will continue to block objectionable material as we deem appropriate. We encourage you to talk with your son or daughter about the potential danger of the Internet. Ask if they have an social media accounts. If your child is using such a site with your permission, you may want to review his or her profile to ensure that no personal and identifiable information has been posted. We also encourage you to establish rules and guidelines to ensure the safety of your child while on the Internet. Some Web sites offer parental or family guidance for Internet safety; for example, SafeKids.com, located online at <http://www.safekids.com>, and Web Wise Kids, located online at <http://www.webwisekids.org>, by telephone at 866-WEB-WISE, or by e-mail at webwisekids2@aol.com. The Pomona Unified School District will continue to provide Internet security within our schools. It is important that parents also monitor Internet use at home. Thank you for your support and cooperation in keeping our pupils safe. If you have questions or would like more information, please feel free to contact

• Walking or Riding a Bike to school

Parents of children who walk or ride their bicycles to school are asked to go over a safe route to school with their children. Walkers may not take shortcuts through private property. All children are expected to display good behavior on the way to and from school.

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

• School Bus Safety

All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (i.e., a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instructions that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

• Victim of a Violent Crime

A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, has the right to transfer to another school within the district. The District has 14 calendar days to offer students the option to transfer. For more information, please contact Pupil Resources at (909) 397-4648 x 28200.

• Child Abuse and Neglect Reporting

The Pomona Unified School District is committed to protecting all students in its care. All employees of the District are considered mandated reporters, required by law to report cases of child abuse and neglect whenever there is reasonable suspicion abuse or neglect has occurred. District employees may not investigate to confirm a suspicion.

All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (i.e. Police or Sheriff's Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents and guardians of students also have a right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; you may also notify the District of an incident.

Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:

1. To stop a disturbance threatening physical injury to people or damage to property;
2. For purposes of self-defense;
3. To obtain possession of weapons or other dangerous objects within control of a student;
4. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

• **Pupil Release from School**

The proper procedure to release your child from school is to appear in person and follow the school's pupil sign-out procedures. No pupil will be release based on a phone call, for any reason. In addition, a pupil will not be released to any adult who is not listed on his/her emergency card. Site administration shall ask for proper identification before releasing a pupil to an adult. Procedures at the high school level may allow for pupil self sign-outs under certain conditions.

• **Custody Issues**

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

• **Search and Seizure**

Random searches may be conducted on pupils, their belongings and District properties under their control. This includes the search of desks, lockers and vehicles.

School lockers remain the property of the Poona Unified School District even when assigned to students. The lockers are subject to search whenever the District finds a need to do so. The use of the school locker for other than school-related purposes is prohibited.

Metal-detector scans may be used to promote safety and deter the presence of weapons in schools, and while attending athletic or extracurricular events.

Canine detection services may be used, on a random basis, to deter the presence of prohibited substances.

• **Dangerous Objects**

Laser Pointer – PC 417.27

It is a crime for any pupil to possess a laser pointer on any elementary or secondary school premise, unless the possession is for a valid instruction or other school-related purpose.

Imitation Firearm – PC 12550, 12556

A BB device can be considered an imitation firearm. The Penal Code makes it a criminal offense to openly display or expose any imitation firearm in a public place, including a public school.

• Disruption in a Public School

Any person who willfully disturbs any public school or any public school meeting or interferes with the with the discipline, good order, lawful conduct, or administration of any school class or activity of the school is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500).

• Civility

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

It is unlawful for any person, except a parent/guardian acting toward his/her minor child, to intentionally or to attempt to injure, intimidate, interfere by force, threat of force, physical obstruction, or nonviolent physical obstruction with any person attempting to enter or exit any public or private school grounds.

Pomona Unified School District values diversity and commonality and is committed to a culture that fosters free and open communication. The Board of Education believes that an environment of mutual respect and civil conduct between and among students, school district employees, parents, volunteers, and the general public is critical to the achievement of students and staff. The Board is committed to maintaining a culture that recognizes the worth and dignity of the individual in support of academic achievement and social development.

The purpose of this policy is to set clear expectations for civil behavior that support a safe, welcoming, and nurturing environment on school property and at school-related activities.

• Megan’s Law

Information about registered sex offenders in California can be found on the California Department of Justice’s website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

• Pets on Campus

Pets are not allowed on campus unless approved by administration. If approved to be in a classroom, the pet must be brought to school by a parent and taken home immediately after it is no longer need for classroom use. Some pupils may have anxiety or allergies, therefore we DO NOT allow dogs, cats or other family pets on campus during arrival or dismissal even if the animal is small or leashed.

• Pupil Accident Insurance

The School District may provide or make available medical or hospital service through nonprofit membership corporations, defraying the cost of medical or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance

for injuries to pupils arising out of accidents related to school activity or attendance. No pupil is required to accept such service without the consent of his/her parent or legal guardian.

- **Dress Standards**

Proper classroom attire is expected at all Pomona Unified schools. All pupils are prohibited from wearing inappropriate clothing to school, which could disrupt the educational process, such as attire with obscene language or gang-related attire. Each high school provides parents with a list of clothing that is unacceptable. Some of the elementary and middle schools have a standardized dress program. Parents and pupils should contact their individual school site regarding participation in the standardized dress program. The standardized dress program has been very effective in helping to maintain discipline and allow pupils to concentrate on their academics, not their apparel. Call your school to get a copy of the dress standards.

- **Sun-Protective Clothing and Use of Sunscreen**

Pupils may wear sun-protective clothing for outdoor use during the school day according to school policy. Pupils may also wear sunscreen during the school day without a physician's note or prescription in accordance with school policy.

Emergency Treatment for Anaphylaxis

Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness. It is estimated that approximately 25% of the anaphylactic reactions occur during school hours to students who had not previously been diagnosed with a food or other allergy. Without immediate administration of epinephrine followed by calling emergency medical services, death can occur. Being able to recognize and treat it quickly can save lives. Recent changes to EC 49414 now require school districts to provide epinephrine auto-injectors for any student who may be experiencing anaphylaxis, regardless of known history.

- **Smoke-Free Workplace**

Tobacco products are not allowed on District property or in District vehicles anytime or anywhere by all persons—employees, consultants, vendors, contractors, pupils, visitors, and parents. Smoking a cigarette, cigar, or other tobacco-related product and disposal of cigarette butts, cigar butts, or any other tobacco-related waste within 25 feet of any playground, or sandbox area is in violation of section 104495 of the Health and Safety Code. Any person violates this section is guilty of an infraction and shall be punished by a fine of two hundred fifty dollars (\$250) for each violation of this section. The prohibitions do not apply to private property or a public sidewalk located within 25 feet of a playground or a tot lot sandbox area.

- **Asbestos Management Plan**

The Pomona Unified School District maintains and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the Asbestos Management Plan, please contact the Environmental Health & Safety (EH&S) office at (909) 397-4800, ext. 23668.

- **Use of Pesticide Products**

All staff and parents of an individual school are notified regarding the planned use of pesticides on a school campus. Signs are posted before and after the use of a pesticide on a specific school campus. To obtain a copy of all pesticide products and expected use at the school facility during the

year, and to receive notification of individual pesticide applications at the school at least 72 hours before the application, there is a parent/employee request form at the end of the is booklet that you may fill out and mail to the Maintenance and Operations Department. The notice will identify the active ingredient(s) in each pesticide product, the intended date of application, and Internet address on pesticide use and reduction, and the Internet address where the school site integrated pest management plan may be found if the school site has posted the plan. *See Form 1.*

Q What if my child breaks the rules?

Every pupil is expected to maintain acceptable standards of citizenship and academics. . There are times, however, when pupils break the rules or act in such a way as to endanger themselves or others. Appropriate steps will be taken to intervene or discipline pupils, when unacceptable events occur. The following items explain District policies and programs regarding discipline. A copy of the District's rules pertaining to pupil discipline may be obtained by contacting the Office of Pupil Resources. A copy of your school's Site Discipline Plan may be reviewed by contacting the school office.

• Pupil Conduct

Pupils shall conform to school regulations, obey all directions, be diligent in study and respectful to teachers and others in authority, and refrain from the use of profane and vulgar language. Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

Schools shall immediately suspend and recommend expulsion for students that commit any of the following acts at school or at school activity off school grounds:

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

The school board shall order the student expelled upon finding that the student committed the act.

• Discipline

The Governing Board believes that one of the major functions of the public schools is the preparation of youth for responsible citizenship. In order to maintain an environment conducive to attaining the highest quality of education in the District, certain pupil disciplinary policies/regulations relating to conduct exist and outline acceptable behavior. These policies/regulations will be enforced fairly and uniformly and consistently, without regard to race, creed, color, or gender. Resources are available to ensure that disruptive pupils are not returned to regular classes without some modification of behavior.

• Other Means of Correction

may be used at the discretion of Pomona Unified School District. These can include, but not be limited to, conferences, detention, in-school suspension, loss of privileges, community service, counseling, parental supervision at school, etc.

Suspension shall be imposed only when other means of correction fail to bring about proper conduct, unless due to the nature of the act, the presence of the pupil causes a continuing danger to

the physical safety of the pupil or others. Suspension means removal of a pupil from ongoing instruction for adjustment purposes. It does not mean reassignment to another education program or class at the same school. A pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties, unless done so by a teacher. Teachers are authorized to require parents/guardians of pupils suspended by a teacher, for acts of defiance, disruption, obscenities, profanity or vulgarity, to attend a portion of a school day in his/her child's classroom.

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a pupil. Expulsion, except for single acts of a grave nature, is usually recommended when there is a history of misconduct and where other forms of discipline, including suspension, have failed to bring about proper conduct. A pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, shall not be expelled for disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties. *See Attachment 1* for a complete listing of the reasons for suspension or expulsion.

- **Electronic Listening or Recording Device**

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action.

- **Property Damage**

Parents or guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the pupil until restitution is paid.

- **Requirement of Parent/Guardian School Attendance**

Teachers may require the parent or guardian of a student who has been suspended by a teacher to attend a portion of that school day in his or her pupil's classroom. The attendance of the parent or guardian will be limited to the class from which the pupil was suspended. A written notice will be sent to the parent or guardian regarding implementation of this requirement. Employers are not allowed to apply sanctions against the parent or guardian for this requirement if the parent or guardian has given reasonable notice to his/her employer.

- **Due Process Rights**

Schools will make every reasonable effort to notify the parent/guardian when a pupil is being disciplined. When a suspension or change of placement is being considered, a meeting with the parent/guardian is an essential part of the process. Your school's Site Discipline Plan describes the due process details.

If a pupil is suspended due to disciplinary reasons, and the parent is not in agreement with the suspension, the parent/guardian may appeal the decision to the school principal. If the matter is not resolved at the school, it may be appealed to the Director of Pupil Resources. And, if for any reason(s), the matter has not been solved at this level, the case may be appealed to the Board of Education and further, to the Los Angeles County Board of Education.

Q What if I disagree with the way my child is treated or taught?

• Parent and Pupil Complaint Procedure

The Uniform Complain Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law or regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and development programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code (EC) sections 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements as specified in section 7114 of Title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics; 5) unlawful imposition of pupil fees for participation in educational activities in public schools; 6) failure to comply with the requirements established through the Local Control Funding Formula related to the Local Control and Accountability Plan as described in EC sections 52060 through 52076 or sections 47606.5 and 47607.3.

A complaint must be filed no later than six months from the date the complainant first obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to the District office who will coordinate an investigation and response within 60 days of receipt of the written complaint, unless the complaint agrees in writing to extend the timeline. If the District finds merit in a complaint, the District shall provide a remedy to all affected pupils, parents/guardians.

A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in Section 4650 of Title 5 of the California Code of Regulations exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district. If a district is found to have violated a state or federal law and/or regulation, and the District does not take corrective action to comply, the various civil remedies may be available.

See Attachment 4 and Form 2.

• Williams Complaint Procedure

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or mis-assignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the school site. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns. *See Attachment 4 and Form 3.*

- **Complaints Concerning a Suspension**

The school principal has the authority to suspend a pupil for violation of school rules and policies. Parents whose child has been suspended may appeal the suspension to the Director of Pupil Resources, after discussing their concerns with the site principal.

- **Attaching a Written Response to the Disciplinary Record**

Parents who do not agree with all or part of a disciplinary action against their child may attach a written statement to the disciplinary record.

- **Religious Beliefs**

Pupils may be excused from specific instruction which conflicts with religious training beliefs. Requests should be brought to the principal's attention.

- **Human Reproductive Instruction**

Parents will be notified in writing prior to any instruction or class in which human reproductive organs and their functions or processes are described, illustrated, or discussed.

- **Pupils with Moral Objections to Dissection or Otherwise Harming or Destroying Animals**

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from his/her parent/guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question. (EC§§48980(a), 32255)

- **Sexual Health Education, HIV/AIDS Prevention and Related Assessments**

The purpose of the California Comprehensive Sexual Health and HIV/AIDS Prevention Act (Education Codes 51930 through 51939) is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

The Pomona Unified School District will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

- 1) Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS
- 2) Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
- 3) Request a copy of Education Codes 51930 through 51939
- 4) Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants
- 5) When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
 - a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker

- **Survey's/Questionnaires**

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing. (Protection of Pupil Rights Amendment, 20 USC § 1232h and EC§51513)

Q What about my child's records?

The Federal Rights and Privacy Act (FERPA) along with California Law affords parents and pupils over 18 years of age (eligible pupils) certain rights with respect to the pupil's education records, and the right to be informed about the following information:

- **Types of Records Maintained**

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm, or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records. Schools are required to maintain information relative to an individual pupil. Such records include:

Mandatory Permanent Records which include name, date of birth, address, dates of school attendance, subjects taken, grades and credits, and date of high school graduation.

Mandatory Interim Records which include: access log, health records, special education records, progress reports, directory information, absence slips/verifications, suspension notices/expulsion records.

Permitted Records which may include: objective staff ratings, routine disciplinary data.

- **Official Responsible for Maintaining Records**

The school site principal shall be responsible for records maintained at his/her school site. A parent or eligible pupil who wishes to access pupil records shall submit a written request to the school principal or designated school official. The school official will make arrangements for access, including notification of the time and location where the records may be inspected.

- **Location of Access Log**

An access log shall be maintained within each pupil record file. The log shall identify all persons, agencies or organizations requesting or receiving information from the pupil record file. The log does not need to include parents or eligible pupils to whom access is granted nor school employees having a legitimate education interest to access the pupil record file.

- **Access by School Employees/Legitimate Educational Interest**

School officials with legitimate educational interests may access student records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. An eligible school official is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a school board member; a person or company under contract to perform a special task (such as an attorney, auditor, medical consultant); a parent or pupil serving on an official committee or assisting school officials in performing tasks. Upon request from

officials of another school district in which a student seeks or intends to enroll, the District shall disclose educational records without parental consent.

• **Right of Parent to Access Pupil Records**

Parents/guardians have the right to 1) inspect and review the student's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. Parent's request to access their student's educational records must be submitted in a written form to the school office and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of student records are available to parents for a fee per page.

• **Reviewing, Expunging and Challenging Records**

Following the inspection or review of a pupil record, the parent or eligible pupil may ask the school to amend or expunge (delete) a record that they believe to be inaccurate or misleading. If the school does not amend or delete the record as requested, the school will advise the parent or eligible pupil of their right to challenge the record by seeking a remedy through a hearing process. Additional information about the hearing procedures will be provided. Any challenge to school records must be submitted in writing to your pupil's school. A parent challenging school records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the student. Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605.

When grades are given for any course of instruction taught in a school district, the grade given to each pupil shall be the grade determined by the teacher of the course and the determination of the pupil's grade by the teacher, in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetency, shall be final.

• **Directory Information**

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

No information may be released to a private, profit making entity other than employers, prospective employers and representatives of the news media, including, but not limited to , newspapers, magazines, and radio and television stations. Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil's directory information. Directory information regarding a pupil identified as a homeless child or youth should not be released unless a parent, or eligible pupil, has provided written consent that directory information may be released.

- **Health Insurance Portability and Accountability Act (HIPPA)**

HIPPA went into effect in April 2003 and establishes national standards for protected health information. Parents/guardians need to know that Pomona Unified School District complies with all provisions of the act.

- **Cost for Copies of Records**

Copies of pupil records will be provided upon written request to the school principal or designee for twenty-five cents (\$0.25) per page. There will be no charge for the search or retrieval of any pupil record.

No charge will be made for furnishing (1) up to two transcripts, or (2) up to two verifications of records of former pupils.

- **Right of Parent to File a Complaint**

Parents have the right to file a complaint with the District under the Parent and Pupil Complaint Procedure mentioned on Uniform Complaint Form page 55, Form 2. Parents also have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the requirements of the Federal Educational Rights and Privacy Act (FERPA). The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U. S. Department of Education
400 Maryland Avenue, SW
Washington D. C. 20202-4605
Telephone: (202) 260-3887

- **Information Regarding Pupil Records**

Additional information regarding Pupil Records may be obtained by contacting the Office of Pupil Resources at (909) 397-4648, ext. 28200.



**Pomona Unified School District
Special Education Local Plan Area**
(909) 397-4648 extension 1

NOTICE OF PROCEDURAL SAFEGUARDS AND PARENTS' RIGHTS
(Please keep this document for future reference.)

Dear Parent(s)/Guardian(s)/Pupil:

This notice is provided to you because your child is being considered for possible placement or is currently enrolled in a special education program. This notice is also provided for children who are entitled to these rights at age 18. If your child is being referred for special education and all options of the general education program have been considered, and where appropriate utilized, for your child, you have the right to initiate a referral for special education.

In California, special education is provided to children with disabilities between birth and twenty-one years of age. Federal and state laws protect you and your child throughout the procedures for evaluation and identification of special education placement and services. Parents of children with disabilities have the right to participate in the individual education program process, including development of the IEP, and be informed of the availability of a free appropriate public education and of all available alternative programs, including public and nonpublic programs.

You have the right to receive this notice in your primary/native language or other mode of communication (i.e., sign language or braille), unless it is clearly not feasible to do so. These rights may also be translated orally to you if your primary/native language is not a written language. This notice will be given to you only one time a year, or upon: (1) your request; (2) the initial referral of your child for a special education evaluation; (3) reevaluation of your child; (4) removal of your child for violating a school code of conduct that constitutes a change in placement; (5) filing of a state complaint; and (6) receipt of a request for a due process hearing. If available, a copy of these procedural safeguards may also be accessible on your district's website and may be sent to you, upon your request, by electronic mail. Please check with your local school district to determine if this option is available.

The definitions below will help you understand the statement of rights. Should you need further information regarding the contents or the use of this guide, you may contact your school district of residence Special Education Director, whose telephone number is on the last page of this document.

Definitions

Children with Disabilities: The Individuals with Disabilities Education Act ("IDEA") defines "children with disabilities" as including children with intellectual disabilities, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments or specific learning disabilities, and who by reason thereof, need special education and related services.

Consent: Consent means that: (1) parents have been given all information, in their native language or other mode of communication, that is relevant to any activity for which their consent is sought; (2) parents understand and agree in writing to that activity, and the consent form they sign contains a description of the activity and a list of records that will be released and to whom the records will be released in order to initiate or implement the activity; and (3) parents understand that their consent is voluntary and may be revoked at any time; however, their withdrawal of consent does not negate an action that has already occurred.

Evaluation: An assessment of your child using various tests and measures per Education Code Section 56320-56339 and 20 U.S.C. Section 1414(a), (b) and (c) to determine whether your child has a disability and the nature and extent of special and related services needed by your child for his/her educational benefit. The assessment tools are individually selected for your child and are administered by competent professionals employed by the local education agency. Testing and evaluation materials and procedures will be selected and administered so as not to be racially, culturally, or sexually discriminatory. The materials or procedures will be provided and administered in your child's native language or mode of communication, unless it clearly is not feasible to do so. No single procedure shall be the sole criterion for determining an appropriate educational program for a child.

Free Appropriate Public Education (“FAPE”): An education that (1) is provided at public expense, under public supervision and direction, and without charge to you; (2) meets the standards of the California Department of Education; and (3) is provided in conformity with a written individualized education program developed for your child to confer an educational benefit and to be implemented in a preschool, elementary or secondary school program.

Individual Education Program (“IEP”): A written document developed by your child’s IEP team that includes at least all of the following; (1) present levels of academic achievement and functional performance; (2) measurable annual goals; (3), a statement of the special educational and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child; (4) an explanation of the extent to which the child will not participate with non-disabled children in the general education programs; (5) the projected date for initiation and the anticipated duration, frequency and location of the programs and services included in the IEP; and (6) appropriate objective criteria, evaluation procedures, and schedules for determining, on at least an annual basis, whether the child is achieving his or her goals.

Least Restrictive Environment (“LRE”): To the maximum extent appropriate, children with disabilities will be educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the general education program will occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Local Educational Agency (“LEA”): This term includes a school district, County Office of Education (“COE”), a Special Education Local Plan Area (“SELPA”), or a charter school participating as a member of a SELPA.

Notification of Majority Rights: Your child has the right to receive all information about his/her educational program and to make all decisions when he/she reaches the age of eighteen unless determined incompetent by state law and procedures. Non-conserved adults are presumed under the laws of the State of California to be competent.

Parent: The definition of parent includes: (1) person having legal custody of a child; (2) an adult student for whom no guardian or conservator has been appointed; (3) a person acting in place of a natural or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives; (4) a parent surrogate; and (5) a foster parent, if the authority of a natural parent to make education decisions on the child’s behalf has been specifically limited by court order.

WHEN MAY I ACCESS EDUCATIONAL RECORDS, AND HOW DO I DO SO?

All parents or guardians of children enrolled in California public schools have the right to inspect records under the Family Educational Rights and Privacy Act (“FERPA”), which has been implemented in the California Education Code.

Educational records are those records that are directly related to your child and maintained by a school district, agency, or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained. Both federal and state laws further define an educational record as any item information directly related to an identifiable pupil, other than directory information, which is maintained by a school LEA, or required to be maintained by an employee in the performance of his duties whether recorded by handwriting, print, tapes, film, microfilm, and computer or by other means. Educational records do not include informal personal notes prepared and kept by a school employee for his/her own use or the use of a substitute.

If records contain information about more than one child, you have access only to that portion of the record pertaining to your child.

Personally identifiable information may include: (1) the name of the child, the child’s parent or other family member; (2) the address of the child; (3) a personal identifier such as the child’s social security number, student number, or court file number; (4) a list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

Additionally, parents of a child with disabilities, including non-custodial parents whose educational rights have not been limited, are presumed to have the right to: (1) review all educational records regarding the identification, evaluation, and educational placement of the child and the provision of a FAPE to the child; and (2) receive an explanation and interpretation of the records. These rights transfer to a non-conserved pupil who is eighteen years old or attending an institution of post-secondary education.

The custodian of records at each school site is the principal of the school. Educational records may be kept at the school site or the district office, but a written request for records at either site will be treated as a request for records from all sites. The custodian of records will provide you with a list of the types and locations of pupil records (if requested). Three years after a student exits a program, the special education records will be destroyed.

Upon receiving notice that the records are no longer necessary to the LEA, you may request destruction of the records, which will take place either by physical destruction or by removing personal identifiers from the records so that the information is no longer personally identifiable. However, the LEA is obligated to keep a permanent record for each child, which includes: (1) the child's name, address, and phone number; and (2) the child's grades, attendance records, classes attended, grade level completed, and year completed.

The custodian of the records will limit access to your child's educational records to those persons authorized to review the educational record, including you, your child who is at least sixteen years old, individuals who have been authorized by you to inspect the records, school employees who have a legitimate educational interest in the records, post-secondary institutions designated by your child, and employees of federal, state, and local education agencies. In all other instances, access will be denied unless you have provided written consent to release the records or the records are released pursuant to a court order or other applicable law. The LEA must keep a log indicating the time, name and purpose for access of those individuals who are not employed by the school district.

Parent consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of the IDEA, except under the following circumstances: (1) before identifiable information is released to officials of participating agencies providing or paying for transition services; and (2) if the child is in, or is going to go to, a private school that is not located in the same school district in which parents reside, parent consent must be obtained before any personally identifiable information about the child is released between officials in the school district where the private school is located and officials in the school district in which parents reside.

A review and/or copies of educational records will be provided to you within, five (5) business days of a request. A fee for copies, but not the cost to research and retrieve, is determined by LEA policy and will be charged, unless charging a fee would effectively deny you access to your child's educational records. Once a complete copy of the records has been provided, a fee will be charged for additional copies of the same records.

If you believe that information in the educational records collected, maintained or used by the LEA is inaccurate, misleading or violates the privacy or other rights of the child, you may request in writing that the LEA amend the information. If the LEA agrees with your request, the record will be amended and you will be informed.

Should the LEA refuse to make the amendment requested within 30 days, the LEA will notify you of the right to a hearing to determine whether the challenged information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of your child. If you request a hearing, the LEA will provide a hearing, within a reasonable time, which meets the following requirements: (1) the LEA must provide you with notice of the date, time, and place, reasonably in advance of the hearing; (2) the hearing may be conducted by any individual, including an official of the LEA, who does not have a direct interest in the outcome of the hearing; (3) the LEA shall give you a full and fair opportunity to present evidence relevant to the issues; (4) the LEA shall make its decision in writing within a reasonable period of time after the hearing; and (5) the decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. You may, at your own expense, be assisted or represented by one or more individuals of your own choice, including an attorney.

If it is decided by the governing board after the hearing that the record will not be amended, you have a right to provide what you believe is a corrective written statement, which will be permanently attached to the contested record. This statement will be attached if the contested record is disclosed.

The parents, guardian or local education agency (LEA) has the right to audio record the proceedings of the individualized education program (IEP) team meetings. The IEP team must be notified of the desire to record the IEP at least 24 hour prior to the meeting. If the intent to audio record the meeting is initiated by the LEA, and the parent objects or refuses to attend the IEP meeting because of the audio record, the meeting shall not be audio recorded. Parents have the right to inspect, review and, at times, amend the audio recordings.

WHAT IS, AND HOW MAY I OBTAIN AN INDEPENDENT EDUCATIONAL EVALUATION?

An independent educational evaluation ("IEE") is an assessment conducted by a qualified examiner who is not employed by the LEA providing an education to your child, but satisfies the same requirements of the California Department of Education ("CDE") and the LEA. If you disagree with the results of a recent assessment conducted by LEA, and make that disagreement known to the LEA, you have the right to request and possibly obtain an IEE for your child at public expense from a qualified person. Public expense means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to you. Your LEA has information available for you about where such an IEE may be obtained and what the LEA's criteria is for determining qualification.

The assessment tools used by an independent educational evaluator must be individually selected for your child and must be administered by competent professionals. Testing and evaluation materials and procedures must be selected and administered by competent professionals. Testing and evaluation materials and procedures must be selected and administered so as not to be racially, culturally, or sexually discriminatory. The materials or procedures must be provided and administered in your child's native language or mode of communication, unless it clearly is not feasible to do so. No single procedure shall be the sole criterion for determining an appropriate educational program for a child.

If you request an IEE at public expense, the LEA must either: (1) file a complaint for due process against you to prove that its assessment is appropriate; or (2) ensure that the IEE is provided to you at public expense. If the LEA proves at a due process hearing that its assessment is appropriate, you still have the right to an IEE, but not at public expense.

If you obtain an assessment at private expense and provide a copy of it to the LEA, the results of the assessment must be considered by the IEP team with respect to the provision of a FAPE to your child. The privately funded assessment may also be introduced at a due process hearing regarding your child.

If the LEA observed your child in conducting the assessment, or if the LEA's assessment procedures allow in-class observations of students, an individual conducting an IEE must also be allowed to observe your child in the classroom, or observe an educational setting proposed by the IEP team.

If you propose a publicly-financed placement of your child in a nonpublic school, the LEA will have an opportunity to observe the proposed placement and the pupil in the proposed placement, if the pupil has already been unilaterally placed in the non-public school by the parent or guardian.

WHAT IS PRIOR WRITTEN NOTICE AND WHEN WILL I RECEIVE IT?

An LEA is responsible for informing you, in writing, whenever it proposes or refuses to initiate a change in the identification, assessment, or educational placement of your child or the provision of a free appropriate public education to the child. The LEA must provide written notice to parents of this proposal or refusal within a reasonable time. This notice, if not previously provided to the parent, will also be provided upon the LEA's receipt of a parent's request for a due process hearing. The written notice will include:

- A description of the actions proposed or refused by the LEA with an explanation of why the agency proposed or refused to take the action and a description of other actions considered and why those options were rejected.
- A description of each assessment procedure, test, record, or report the LEA used as a basis for the proposal or refusal.
- A description of other options considered by the IEP team and the reason why those options were rejected.
- A description of any other factors, which are relevant to the LEA's proposal or refusal.
- Notice that parents can obtain copies or assistance in understanding their rights and procedural safeguards from the Special Education Director of their child's district of residence, the SELPA Director, or the CDE in Sacramento.

WHAT CONSTITUTES PARENTAL CONSENT AND WHEN IS IT REQUIRED?

The LEA must get parental consent, as described above, before assessing and/or providing special education and related services to your child. The LEA must make reasonable efforts to obtain a parent's informed consent before an initial assessment or reassessment of a child. If you refuse to consent to an initial assessment or reassessment, the LEA may, but is not required to, use due process procedures to obtain your consent for the assessment. If you refuse to consent to the *initial IEP* placement and services, the LEA may not use the due process procedures described below to challenge your refusal to consent. However, when the LEA requests consent to the initial placement and services, and you do not provide it, the LEA will also not be required to convene an IEP team meeting or develop an IEP when such consent is not provided after the LEA's request.

You may consent in writing to the receipt of some components of your child's IEP, and those components of the IEP must be implemented by the LEA. If the LEA determines that the remaining component(s) of your child's IEP to which you do not consent is/are necessary to provide a FAPE to the child, the LEA must initiate a due process hearing.

Finally, your informed consent need not be obtained in the case of reassessment of your child, if the LEA can demonstrate through a due process hearing that it has taken reasonable measures to obtain your consent and you have failed to respond.

AM I ALLOWED TO CHANGE MY MIND LATER AND REVOKE CONSENT?

If, at any time subsequent to the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the school district or charter school

- May not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services;
- May not use the mediation procedures, the due process procedures in order to obtain agreement or a ruling that the services may be provided to the child;
- Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and
- Is not required to convene and IEP Team meeting or develop and IEP for the child for further provision of special education and related services.

If the parent revokes consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the school district or charter school is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent. This provision applies when a parent refuses all special education services. If a parent disagrees with some services but not all, the issues need to be resolved through the Due Process procedure.

IF I HAVE A COMPLAINT ABOUT MY CHILD'S EDUCATIONAL PROGRAM, HOW DO I RAISE IT?

When you have a concern about your child's education, it is important that you contact your child's teacher or administrator to talk about your child and any problems you see. Staff in your school district or special education local plan area (SELPA) may answer questions about your child's education, your rights, and procedural safeguards. Also, when you have a concern, this informal conversation often solves the problem and helps to maintain open communication.

If the LEA is not able to resolve your concerns through informal means, you may file a compliance complaint with either the LEA, or the CDE.

If your concern is related to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of a child with a disability, the provision of a FAPE to the child, or a dispute over the availability of an appropriate program for your child, you may file a due process hearing complaint (described below). The LEA also has the right to file a due process hearing complaint on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of your child, the provision of a FAPE to your child, or a dispute over the availability of an appropriate program for your child.

WHAT IS A COMPLAINT COMPLAINT AND WHAT ARE MY RIGHTS RELATED TO A COMPLIANCE COMPLAINT?

Compliance complaints allege a violation of the law under the IDEA or California special education law. The complaint must: (1) be in writing; (2) contain a statement that the LEA has violated a law or regulation under the IDEA or California Education Code counterparts; (3) contain the facts which support the allegation; (4) contain a signature and contact information of the complainant; and (5) if alleging a violation against a single child, must contain: (a) the name and address of the child (or available contact information for a homeless child); (b) the name of the school the child is attending; (c) a description of the nature of the problem and facts relating to the problem; and (d) a proposed resolution to the extent known.

District/LEA Level Compliance Complaint: The Pomona Unified School District SELPA encourages you to file any complaint regarding special education issues directly with your LEA in order for the LEA to quickly address your concerns in an informal and efficient manner. The LEA has established confidential procedures for the filing of these complaints and will meet with you to investigate your complaint in a timely manner and attempt to resolve any concerns. The district compliance officer will assist you in resolving any complaint of discrimination against the district, its employees or contractors, and students. The compliance officer is also able to assist you in preparing your complaint in writing and to provide the information required by law. The district compliance officer will refer you to other agencies responsible for the investigation and resolution of complaints when appropriate.

State Level Compliance Complaint: Any individual or organization may file a compliance complaint alleging a violation of any IDEA or state law requirement by the LEA, CDE, or any other public agency. The Compliance Officer is also able to assist you in preparing your complaint in writing and to provide the information required by law. The Compliance Officer will refer you to other agencies responsible for the investigation and resolution of complaints when appropriate. Complaints should be filed with the CDE Compliance Unit: **California Department of Education Division, Procedural Safeguards Referral Service, 1430 N Street, Suite 2401, Sacramento, CA 95814. Phone (800) 926-0648; FAX (916) 327-3704.**

Compliance complaints filed with the CDE must be filed within one year from the date you knew or had reason to know of the facts that were the basis for the complaint.

Within sixty (60) days after your complaint is filed, the CDE will: (1) carry out an independent on-site investigation, if necessary; (2) give you the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint; (3) provide the LEA with the opportunity to respond to the complaint, including a proposal to resolve the complaint; (4) provide an opportunity for you and the LEA to agree voluntarily to engage in mediation; (5) review all relevant information and make an independent determination as to whether the LEA is violating a requirement of the IDEA and/or related state law; and (6) issue a written decision to you and the LEA that addresses each allegation in the complaint and contains findings of fact and conclusions, and the reasons for the final decision.

WHAT IS MEDIATION AND WHEN CAN I REQUEST IT?

Parties are encouraged to seek resolution of special education disputes through less adversarial processes such as mediation or alternative dispute resolution (“ADR”) prior to filing for a due process hearing. While you are urged to try mediation, this may not be used to delay your right to a due process hearing.

These voluntary prehearing mediation conferences are to be conducted in a non-adversarial atmosphere to resolve issues relating to the identification, assessment, or educational placement of the child, or the provision of a FAPE to the child, to the satisfaction of both parties. Therefore, attorneys or other independent contractors used to provide legal advocacy services may not attend or otherwise participate in the prehearing mediation conferences. This does not prevent either party from consulting an attorney either prior to or following the mediation process nor does this bar a parent of the child in question from participating if the parent is an attorney. The parties may be accompanied and advised by non-attorney representatives at their discretion.

This mediation conference will be scheduled within 15 days and completed within 30 days of the CDE’s receipt of your request for mediation, unless both parties agree to an extension. The mediation will be conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

If you and the LEA resolve a dispute through the mediation process, both parties must enter into a legally binding agreement that sets forth the resolution and that: (1) states that all discussions that happened during the mediation process will remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding; and (2) is signed by both you and a representative who has the authority to bind the LEA.

A written, signed mediation agreement is enforceable in any State court of competent jurisdiction (a court that has the authority under State law to hear this type of case) or in a district court of the United States. Discussions that happened during the mediation process must be confidential. They cannot be used as evidence in any future due process hearing or civil proceeding of any Federal or State court.

WHAT IS A DUE PROCESS HEARING AND WHAT ARE MY RIGHTS RELATED TO IT?

A due process hearing is a formal proceeding presided over by an administrative law judge, which is similar to a court action. The hearing can be initiated by you or the LEA when there is a disagreement over a proposal or refusal to initiate or change the identification, evaluation or educational placement of your child, the provision of a FAPE to your child, or a dispute over the availability of an appropriate program for your child. Requests should be sent to: **Office of Administrative Hearings (“OAH”), at the following address: Office of Administrative Hearings, Attn: Special Education Division, 2349 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833-4231. Phone (916) 263-0890.**

The request for a due process hearing must be filed within *two* years from the date you knew or had reason to know of the facts that were the basis for the hearing request. The timeline does not apply to you if you were prevented from requesting a due process hearing earlier because the LEA: (1) misrepresented that it had resolved the problem which is the basis of your request; or (2) withheld information from you relating to the information contained in this notice.

Your due process hearing complaint **must** include the following information: (1) your child’s name; (2) your child’s address (or, in the case of a homeless child, the available contact information); (3) the name of the school your child attends; (4) a description of the problem relating to the proposed initiation or change, including specific facts about the problem; and (5) proposed resolution to the problem to the extent it is known to you. You must provide the LEA with a copy of your request for due process. You (or the LEA) may not have a due process hearing until a due process hearing complaint that contains all of the information outlined above is filed.

Within five days OAH must decide if the due process complaint meets the requirements listed above and they will notify you and the LEA in writing if it is insufficient. If OAH determines that a due process complaint is insufficient the party will have the opportunity to file a new complaint that meets the requirements listed above.

If you request a due process hearing, within 15 days of receiving your request for due process, the LEA must convene a meeting with you, the relevant member(s) of your child's IEP team who have specific knowledge of the facts identified in the due process hearing request, and a LEA representative who has decision-making authority, to discuss a resolution to the issues raised. The meeting will not include the LEA's attorney, unless you are accompanied by an attorney.

Except where you and the LEA have both agreed, in writing, to waive the resolution process or to use mediation, your failure to participate in the resolution meeting will delay the timeliness for the resolution process and due process hearing until you agree to participate in the meeting.

If an agreement is reached at the resolution session, the agreement must be memorialized in writing and signed by both you and the LEA representative. After signing, both you and the LEA have 3 business days to void the agreement. If the LEA has not resolved the due process complaint to your satisfaction within 30 days of the receipt of the due process complaint (during the time period for the resolution process), the due process hearing may occur, and the applicable timeline for issuing a final decision begins.

You and the LEA may agree, at any time prior to or during the due process hearing to participate in a mediation of the dispute. AN impartial mediator will be appointed by OAH at no cost to either party. Mediation extends OAH's timeline to render its decision; however, mediation is not intended to deny or delay your right to a hearing, or any other rights.

If the issues which gave rise to the request for due process are not resolved by the resolution session or mediation, OAH must hold a hearing, reach a final decision on the issues in the case, and send a copy of the decision to the parties within 45 days of the expiration of the resolution period. The hearing must be held at a time and place that is reasonably convenient to the parties.

Any party to a due process hearing has the right to: (1) a fair and impartial administrative hearing before a person knowledgeable in laws governing special education and administrative hearings; (2) be represented by an attorney or an advocate with knowledge and training related to the problems of children and youth with disabilities; (3) present evidence, written arguments, and oral arguments; (4) confront, cross-examine, and require witnesses to be present; (5) obtain a written or at your option, electronic verbatim record of the hearing; (6) obtain written or at your option, electronic findings of fact and decisions, within 45 days after the expiration of the resolution session time period; (7) receive notice from the other party, at least ten days prior to the hearing, of their issues and their proposed resolutions; (8) receive a copy of all documents, including assessments completed by the date and recommendations, and a list of witnesses and their general area of testimony at least five business days before the hearing; (9) have your child present at the hearing; (10) have the hearing open or closed to the public; (11) have an interpreter provided; (12) request an extension of the hearing timeline for good cause; (13) request that your child's school district, the Pomona Unified School District SELPA or OAH provide you with a list of individuals providing legal services or advocacy for children with disabilities.

WHAT IF I DISAGREE WITH THE RESULTS OF THE DUE PROCESS HEARING?

The hearing decision is final and binding on both parties. Either party may appeal the decision by filing an appeal in the appropriate court. In civil action, the records and transcription of the administrative proceedings will be filed with the court. The court may hear additional evidence at the request of either party and must base its decision on the preponderance of the evidence. This appeal must be made within ninety (90) days after the date of the decision of the Administrative Law Judge.

WHERE WILL MY CHILD BE PLACED DURING THE PENDENCY OF A DUE PROCESS HEARING?

Once a request for due process is received by the LEA, during the resolution process time period, and while waiting for the decision of any impartial due process hearing or court proceeding, the child must remain in his or her current educational placement, unless the parent and the LEA agree otherwise.

If your request for due process involves an application for initial admission to public school, your child, with your consent, must be placed in the general public school program until the completion of all such proceedings.

If your request for du process involves an application for initial services for a child who received services pursuant to an individual family services plan ("IFSP"), and has turned three, the LEA is not required to provide the IFSP services that your child had been receiving. If your child is found eligible for special education services from the LEA, and you consent for your child to receive special education services for the first time, then, pending the outcome of the due process proceedings, the LEA must provide those special education and related services that are not in dispute (those which you and the LEA both agree upon).

If your child has been placed in an interim alternative educational setting ("IAES"), he or she will remain in the IAES for a maximum of 45 school days pending the due process hearing, or until the expiration of the time period for the IAES, whichever occurs first.

UNDER WHAT CIRCUMSTANCES COULD MY ATTORNEYS' FEES BE REIMBURSED TO ME?

A court, in its discretion, may order that a LEA pay reasonable attorneys' fees to the parent of a child with disabilities if the parent prevails at a due process hearing. Additionally, the LEA may be awarded attorneys' fees against the attorney of a parent, or against a parent, who files a complaint or subsequent cause of action that is frivolous, unreasonable, or without foundation, or who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation. The LEA may also be entitled to attorneys' fees against the attorney of a parent, or against the parent, if the parent's complaint or subsequent cause of action was presented for any improper purposes, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation.

A court may reduce the amount of attorneys' fee if: (1) the parent has unreasonably delayed the proceedings (unless the LEA also delayed the proceedings or violated due process procedures); (2) the fees unreasonably exceed the prevailing hourly rate in the community; (3) the time spent and legal services were excessive; (4) or the parent's attorney did not provide the LEA with an appropriate due process complaint.

A parent may not obtain additional attorneys' fees or costs after the rejection or failure to respond within 10 days to an offer of settlement that is made by the LEA, at any time more than 10 days before the hearing or court action if the hearing officer or court finds that the relief finally obtained by the parents is not more favorable to the parents than the offer of settlement. Despite these restrictions, an award of attorneys' fees and related costs may be made to a parent if you prevail and the court determines you were substantially justified in rejecting the settlement offer.

Attorneys' fees may not be awarded to an attorney for attendance at an IEP team meeting unless the meeting has been convened as a result of an administrative proceeding, or a judicial action. A resolution meeting is not considered a meeting convened as a result of an administrative hearing or court action, and also is not considered an administrative hearing or court action for purposes of the attorneys' fees provisions.

WHAT ARE MY CHILD'S RIGHTS WHEN THE LEA IS CONTEMPLATING DISCIPLINING HIM/HER?

Before a child with disabilities may be suspended from school for a period in excess of 10 days, or 10 cumulative days when such suspensions constitute a change in placement, the LEA must hold an IEP team meeting to determine whether the behavior subject to discipline was a manifestation of your child's disability. The IEP team will determine whether the conduct in question was: (1) caused by, or had a direct and substantial relationship to your child's disability; or (2) the direct result of the LEA's failure to implement the child's IEP. Under special circumstances, your child may be removed from his/her placement to an IAES for a period not to exceed 45 school days. School officials are not prohibited by special education laws from reporting a crime committed by your child to appropriate authorities.

Parents have the right to appeal a decision to suspend or expel special education students. When an appeal has been requested by either the parent or the LEA relating to the disciplinary placement of a child or the results of the manifestation determination meeting, the State shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing. Your child is entitled to a stay put placement during appeals; however, if your child is placed in an IAES for 45 school days, placement will remain in that setting pending the decision by the hearing officer or until the expiration of the time period of the suspension, whichever occurs first.

If an evaluation of the child is requested when disciplinary action is pending, the evaluation shall be conducted in an expedited manner. Pending such an evaluation, the child shall remain in an educational setting determined by school authorities.

A child who has not previously been determined to be eligible for special education and related services may assert any of the protections provided under the IDEA if the LEA had knowledge that the child was a child with a disability before the occurrence of the behavior that caused disciplinary action. Knowledge shall be deemed if: (1) the parent expressed in writing to supervisory or administrative personnel of the school district, or the teacher of the child, that the child was in need of special education and related services; (2) the parent had requested an evaluation of the child; or (3) school personnel had expressed to the Special Education Director of the LEA or to other supervisory personnel specific concerns about a pattern of behavior demonstrated by the child. The LEA is not deemed to have knowledge if the parent has not allowed an evaluation of the child or has refused special education services or the child has been evaluated and it was determined that the child was not eligible for services. If the LEA did not have knowledge of the disability, the child will not receive the due process protections of the IDEA.

WHAT ARE THE PROCEDURES WHEN MY CHILD IS SUBJECT TO PLACEMENT IN AN INTERIM ALTERNATIVE EDUCATIONAL SETTING?

An IAES is an educational placement or other setting or suspension that may be ordered by school personnel for a period not to exceed 10 school days (to the extent the alternative would be applied to children without disabilities). A decision to place a child in an IAES may be made by the IEP team when disciplinary action is contemplated by a LEA.

Under special circumstances, the IAES may be ordered for a period not to exceed 45 school days when a child has committed one of the following offenses at school, on school premises or at a school function under the jurisdiction of a State or LEA: (1) carried or possesses a weapon; (2) knowingly possessed or used illegal drugs, or sold or solicited the sale of controlled substances; (3) inflicted serious bodily injury upon another person. If the LEA has not already done so, after placing the child in a forty-five school day IAES, the LEA shall conduct functional behavioral assessment and implement a behavioral intervention plan (if one has not already been implemented). If such a plan is already in place, the IEP team shall consider its modification. The IAES shall be affirmed by the IEP team if it will enable the child to continue to participate in the general curriculum and to receive those services and modifications, including those described in the child's current IEP, to meet the goals set out in the IEP and provide the modifications to address the offending behavior.

Under federal law, a hearing officer may return a child with a disability to the placement from which the child was removed or order a change of placement for a child with a disability to an appropriate IAES for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or others.

At the time the decision is made to place a child in the IAES, the parents of the child have the right to be notified of the decision and provided written notice of all procedural safeguards under the disciplinary section of the IDEA. If a placement in an IAES is in excess of 10 days, the IEP team must determine the appropriate setting and necessary services that will allow your child to continue to receive an educational benefit.

WHAT ARE THE STATE SPECIAL SCHOOLS?

The State Special Schools provide services to students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind at each of its three facilities; the California Schools for the Deaf in Fremont and Riverside and at the California School for the Blind in Fremont. Residential and day school programs are offered to students from infancy to age 21 at both State Schools for the Deaf and from ages five through 21 at the California School for the Blind. The State Special Schools also offer assessment services and technical assistance. For more information about the State Special Schools, please visit the California Department of Education Web site at <http://www.cde.ca.gov/sp/ss/>, ask for more information from the members of your child's IEP team or contact the SELPA Office.

WHAT ARE THE RULES RELATING TO MY DECISION TO UNILATERALLY PLACE MY CHILD IN PRIVATE SCHOOL?

The reimbursement to a parent for placement of a child in a private school or agency may be ordered by a hearing officer or court when it is determined that the LEA did not provide a FAPE to the child in a timely manner prior to the enrollment and that the private placement is appropriate. Reimbursement may be reduced if the parent failed to inform the LEA that they were rejecting the proposed placement and of their intent to place their child in a private school at public expense at the most recent IEP, or at least 10 business days prior to the removal of the child from public school. Reimbursement may also be reduced if, prior to the removal of the child from public school, the LEA informed the parent of its intent to evaluate the child, and parent refused to permit or did not make the child available for the evaluation.

Reimbursement cannot be reduced if the LEA prevented the parent from giving notice; the parent had not received notice of the "written notice" requirement; or if compliance with the notice requirement would likely result in the physical harm to the child. The cost of reimbursement may or may not be reduced if the parent is not literate or cannot write in English, or compliance with the notice requirement would likely result in serious emotional harm to the child.

UNDER WHAT CIRCUMSTANCES WILL A SURROGATE PARENT BE APPOINTED FOR A CHILD?

In order to protect the rights of a child, within 30 days of the local educational agency's determination that a child is in need of a surrogate parent, the LEA will appoint a surrogate parent for a child if:

1. The child has been made a dependent or ward of the court, the court has specifically limited the right of the parent or guardian to make educational decisions for the child, *and* the child has no responsible parent or guardian to represent him or her; or

2. The child is not a ward or dependent of the court *and* no parent or guardian can be located, *or* there is no caretaker of the child *or* the child is an unaccompanied homeless youth.

In determining who will act as a surrogate for a child, the LEA will consider a relative caretaker, foster parent, or court appointed special advocate, if any of the individuals exist, otherwise it will appoint a person of its choice.

The surrogate parent will be an individual with knowledge and skills to adequately represent the child. The surrogate must meet the child at least once and, unless such a person is unavailable, should be culturally sensitive to the child. The surrogate parent shall represent the child in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in all other matters relating to the provision of a FAPE to the child, including the provision of written consent to the IEP for non-emergency medical services, mental health treatment services and occupational or physical therapy services.

Persons with a conflict of interest in representing the child shall not be appointed as a surrogate parent. Conflicts exist if the surrogate parent is an employee of the LEA involved in the education or care of the child, or a foster care provider who derives his/her primary source of income from the care of this child or other children. When no such conflict exists, foster care providers, retired teachers, social workers, and probation officers may serve as surrogates. In the case of an unaccompanied homeless youth, staff from emergency and transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogates without regard to the conflicts described above, only until such time as another surrogate parent who meets the requirements described above can be found.

Alternatively, the surrogate parent can be appointed by the judge overseeing the child's care (as opposed to the LEA) provided that the surrogate parent meets the requirements described above.

WHY AM I ASKED TO PROVIDE CONSENT TO BILL CALIFORNIA MEDI-CAL & RELEASE OR EXCHANGE INFORMATION FOR HEALTH-RELATED SPECIAL EDUCATION AND RELATED SERVICES?

Through the Medi-Cal Local Education Agency (LEA) Billing Option, this LEA may submit claims to California Medi-Cal for covered services provided to Medi-Cal eligible children enrolled in special education programs. The Medi-Cal LEA program is a way for school districts and/or Counties Education Offices (COEs) to receive federal funds to help pay for health-related special education and related services, but only if you choose to provide your written consent.

The information below describes certain rights and protections available to you under IDEA. This notification must be provided to you before an LEA may ask you to provide your consent to access your child's Medi-Cal benefits for the first time and on an annual basis thereafter.

You need to know that:

- You may refuse to sign the section of the IEP regarding Medi-Cal consent.
- Information about your child and family is strictly confidential.
- Your rights are preserved under Title 34 Code of Federal Regulations 300.154; Family Education Rights Privacy Act of 1974, Title 20 of the United States Code, Section 1232 (g), Title 34 Code of Federal Regulations, Section 99.
- This consent is good for one year unless you withdraw your consent before that time. It can be renewed annually at the IEP meeting.

Your consent is voluntarily and can be revoked at any time. If you do revoke consent, the revocation is not retroactive (i.e., it does not negate any billing that occurred after consent was given and before it was revoked).

Your consent must specify the personally identifiable information (for example, records or information about the services that may be provided to your child), the purpose of the disclosure (for example, billing for special education and related services), and the agency to which your LEA may disclose the information (for example, Medi-Cal). Your consent must also include a statement specifying that you understand and agree that your child's LEA may use your or your child's public benefits or insurance, for example, Medi-Cal, to pay for special education and related services under the IDEA. The LEA will obtain this consent by obtaining your signature on the Medi-Cal billing statement section of the IEP.

Your consent will not result in denial or limitation of community-based services provided outside the school. If you refuse to consent for the LEA to access California Medi-Cal to pay for health-related special education and/or related services, the LEA still must ensure that all required special education and related services are provided at no cost to you.

Furthermore, as a public agency, an LEA may access parents' public benefits or insurance to pay for related services required under Part B of the IDEA, for a FAPE. For related services required to provide FAPE to an eligible student, the LEA:

- **May not** require parents to sign up for or enroll in public benefits or insurance programs (Medi-Cal) in order for their child to receive FAPE under Part B of the IDEA (34 CFR 300.154[d][2][i]).
- **May not** require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for services and reimbursement through Medi-Cal. However, the LEA may pay the cost, such as a co-pay, that you otherwise would be required to pay (34 CFR 300.154[d][2][ii]).
- **May not** use a student's benefits under Medi-Cal if that use would:
 - Decrease available lifetime coverage or any other insured benefit.
 - Result in the family paying for services that would otherwise be covered by the public benefits or insurance program (Medi-Cal) and are required for the child outside of the time the child is in school.
 - Increase premiums or lead to the discontinuation of public benefits or insurance (Medi-Cal).
 - Risk loss of eligibility for home and community-based waivers, based on aggregate health related expenditures (34 CFR 300.154[d][2][iii][A-D]).

Compliance Officer

Jennifer Yales
Special Education Department
851 S. Hamilton Blvd.
Pomona, CA 91766-2826
PH: (909) 397-4648 ext.1
FAX: (909) 623-6902

*For more information regarding *Alternative Dispute Resolution (ADR)* options within the SELPA, please contact ADR Intake Coordinator at (909) 397-4648 ext. 1

Director of Special Education

Jennifer Yales
Pomona Unified School District SELPA Director

Mendoza Center
Special Education Department
851 S. Hamilton Blvd.
Pomona, CA 91766-2826
PH: (909) 397-4648 ext. 1
FAX: (909) 623-6902

Attachment 1

CA EDUCATION CODES FOR DISCIPLINE/SUSPENSION/EXPULSION

Pomona Unified School District has the discretion to use other means of correction to suspension or expulsion including but not limited to conferences, detention, in-school suspension, loss of privileges, community service, counseling, parental supervision at school, etc. Repeated offenses may increase level of discipline. Please contact your school site for additional rules and means of correction.

Level I MANDATORY Suspension & Expulsion Recommendation

- 48915 (c-1) Possession of a firearm
- 48915 (c-2) Brandishing a knife
- 48915 (c-3) Selling a controlled substance
- 48915 (c-4) Sexual assault
- 48915 (c-5) Possession of an explosive

Level II Suspension & Expulsion Recommendation Required Unless Special Circumstances Determined by Principal

- 48915 (a-1) Serious physical injury
- 48915 (a-2) Possession of a knife or explosive
- 48915 (a-3) Possession of an ounce or more of a controlled substance or 2nd offense
- 48915 (a-4) Robbery or extortion
- 48915 (a-5) Assault and/or battery on a school employee

Level III Suspension if Presence of the Pupil Causes a Continuing Danger

- 48900 (a-1) Fighting
- 48900 (a-2) Willfully used force or violence on another
- 48900 (b) Possession of a weapon other than a firearm or knife
- 48900 (c) Possession/use of a controlled substance and 1st offense
- 48900 (d) Offered or sold a controlled substance look-alike
- 48900 (e) Attempted to commit robbery or extortion

Level IV Suspension or Other Means of Correction

- 48900 (f) Damage to school or private property
- 48900 (g) Stole school or private property
- 48900 (h) Possessed or used tobacco
- 48900 (i) Obscene act, habitual profanity or vulgarity
- 48900 (j) Possession or sale of drug paraphernalia
- 48900 (k) Disruption of school activities or defiance of authority
- 48900 (l) Received stolen school or private property
- 48900 (m) Possession of an imitation firearm
- 48900 (n) Attempted to commit sexual assault
- 48900 (o) Harassed, threatened or intimidated a witness
- 48900 (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma
- 48900 (q) Engaged in, or attempted to engage in, hazing
- 48900 (r) Engaged in bullying, including by electronic means
- 48900 (t) Aiding & Abetting the infliction or attempted infliction of physical injury to another person
- 48900.2 Sexual harassment
- 48900.3 Hate violence
- 48900.4 Harassment, threats or intimidation of others... "creating an intimidating or hostile educational environment"
- 48900.7 Terrorist threats against school officials or school property
- 48901.5 Possession or use of any electronic signaling device without permission

Attachment 2

NONDISCRIMINATION/HARASSMENT PUSD BOARD POLICY 5145.3

The Governing Board desires to ensure equal opportunities for all students in admission and access to the District's educational programs, guidance and counseling programs, athletic programs, testing procedures, and other activities. District programs and activities shall be free from discrimination, harassment, intimidation or bullying regarding actual or perceived characteristics such as age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, genetic information, mental or physical disability, nationality, national origin, race ethnicity, religion, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics.

The Board prohibits discrimination, intimidation, or harassment of any student by any employee, student, or other person in the district. Prohibited harassment includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the purpose or effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects the student's educational opportunities.

School staff and volunteers shall carefully guard against segregation, bias, and stereotyping in the delivery of services, including, but not limited to, instruction, guidance, and supervision.

The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior. School personnel shall take immediate steps to intervene when safe to do so when he or she witnesses and act of discrimination, harassment, intimidation, or bullying.

Students who engage in discrimination or harassment in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in harassment or prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.

Attachment 3

SEXUAL HARASSMENT POLICY PUSD BOARD POLICY 5145.7

The Governing Board is committed to maintaining a learning environment that is free of harassment. The Board prohibits the unlawful sexual harassment of any pupil by any employee, pupil, or other person at school or any school-related activity.

The principal or designee shall ensure that pupils receive age-appropriate information related to sexual harassment. Pupils shall be assured that they need not endure any form of sexual behavior or communication, including harassment because of sexual orientation. They shall be assured that they need not endure, for any reason, any harassment, which impairs the educational environment or a pupil's emotional or physical wellbeing at school or any school-related activity.

Any pupil who engages in the sexual harassment of anyone at school or a school-related activity shall be subject to disciplinary action. For pupils in grades K-3, this disciplinary action shall depend on the maturity of the pupil and the circumstances involved. For pupils in grades 4 through 12, the disciplinary action may include suspension and/or expulsion.

Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of the law relating to child abuse.

Pupils shall be informed that they should immediately contact a staff member if they feel they are being harassed. Within 24 hours, staff shall report complaints of sexual harassment to the principal or designee or to Personnel Services. Staff shall similarly report any such incidents they may observe, even if the harassed pupil has not complained.

The principal or designee shall immediately investigate any report of the sexual harassment of a pupil. Upon verifying that sexual harassment occurred, he or she shall ensure that appropriate action is taken to end the harassment, address its effects on the person subjected to the harassment, and prevent any further instances of the harassment. In addition, the pupil may file a formal complaint with the Superintendent or designee in accordance with the district's uniform complaint procedures.

The district prohibits retaliatory behavior against any complainant or participant in the complaint process. Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

Attachment 4

Pomona Unified School District

ANNUAL NOTICE OF UNIFORM COMPLAINT PROCEDURES

On an annual basis, the Pomona Unified School District is required to provide parents, guardians, students, schools, employees, District advisory committees, appropriate private school officials or representatives, and other interested parties with the following information regarding the District's complaint procedures for receiving and processing uniform complaints. The District shall make available copies of the District's uniform complaint procedures free of charge.

The Pomona Unified School District is primarily responsible to insure compliance with applicable state and federal laws and regulations. Any individual, public agency or organization may file a written complaint of alleged noncompliance by the District (5 CCR 4630). The District shall investigate and seek to resolve complaints at the local level using the policies and procedures adopted by the Pomona Unified School District Board of Education as the Uniform Complaint Procedures that are consistent with California Administration Code, Title 5, Sections 4600 - 4687.

The District shall investigate complaints alleging failure to comply with state and/or federal law or regulations including, but not limited to, allegations governing adult education, consolidated categorical aid programs, Compensatory Education, migrant education, career/technical education, child care and development programs, child nutrition programs and special education programs, Lactation Accommodations, Course Periods without Educational Contend, Foster Care/Homeless Student Educational Rights, After School Education and Safety, Local Control Accountability Plan, Tobacco Use Prevention Education, Every Student Succeeds Act, Physical Education Instructional Minutes, including complaints alleging unlawful discrimination, harassment, intimidation and bullying in connection with such programs, and complaints alleging non-compliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities or with federal school safety planning requirements.

A pupil fee includes but is not limited to, all of the following: A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity. A pupil fee complaint shall not be filed later than one year from the date the alleged violation occurred.

Homeless and Foster Youth are entitled to certain rights outlined in the Rights and Responsibilities Handbook. Foster and Homeless youth are allowed educational rights, such as: immediate enrollment, remain in school or origin, enrollment in local comprehensive school, partial credits, graduation with state minimum requirements with possible fifth year/exemption from local graduation requirements, and access to academic resources, services and extracurricular activities. A local educational agency must provide a remedy to the affected pupil following the Uniform Complaint Procedures, including information regarding exemption from local graduation requirements, if educational rights are not allowed at the public high school.

The District shall also follow uniform complaint procedures when addressing complaint allegations of unlawful discrimination, harassment, intimidation or bullying regarding actual or perceived characteristics such as age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, genetic information, mental or physical disability, nationality, national origin, race, ethnicity, religion, sex, or sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity that receives or benefits directly from state financial assistance.

The District shall follow certain modified uniform complaint procedures, known as Williams Uniform Complaint Procedures, pursuant to Education Code section 35186, for complaints alleging deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, teacher vacancy or misassignment, or the provision of intensive instruction and services to pupils who have not passed one or both parts of the high school exit examination after the completion of grade 12.

The Board of Education prohibits retaliation in any form against any complainant for participation in the complaint process

Filing of Complaint

- Complaints shall be filed with Pupil and Community Services, 800 S. Garey Ave., Pomona, CA 91766, (909) 397-4800 extension 23950.
- Complaints of unlawful discrimination, harassment, intimidation or bullying may be filed directly with the Superintendent of Public Instruction if direct state intervention would be permitted by California Administration Code, Title 5, Sections 4650 - 4652.
- For complaints alleging unlawful discrimination, harassment, intimidation or bullying, the complainant must be a person who alleges that he/she personally was the subject of one of these acts or a person who believes that an individual or any specific class of individuals has been subjected to one of these acts.

- An alleged discrimination, harassment, intimidation or bullying complaint must be filed with the Compliance Officer no later than six (6) months from the date of the alleged discrimination, harassment, intimidation or bullying incident or from the date the complainant first obtained knowledge of the facts of the alleged incident.
- Pupil fees and LCAP complaints may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.
- The six (6) month deadline set forth above may be extended by the Superintendent of Public Instruction (or designee) for a period of not more than ninety (90) days if (1) the complainant requests an extension in writing and sets forth the reasons for the extension and, (2) good cause exists for the extension.
- All complaints should be in writing and signed by the complainant. If the complainant is unable to put the complaint in writing due to illiteracy or other handicaps, the District must assist the complainant in the filing of the complaint.

Processing of Complaint

- Upon the Coordinator's receipt of the complaint, the complaint shall be date stamped and given a code number. The Coordinator shall maintain a log of all complaints received. Complaints shall be assigned by the Coordinator to case carriers for investigation and completion.
- Complaints alleging unlawful discrimination, harassment, intimidation or bullying shall be investigated in a manner that maintains the confidentiality of the parties and the facts, including the identity of the complainant, except to the extent necessary to carry out the investigation and proceedings.
- Retaliation for the filing or reporting of a complaint is strictly prohibited. Participation in the Uniform Complaint Procedure shall not affect the status, grades or work assignment of the complainant.
- The identity of the complainant alleging discrimination, harassment, intimidation or bullying shall remain confidential when appropriate.
- Within ten (10) days of the Coordinator's receipt of the complaint, the case carrier shall mail notices to all parties involved in the allegations set forth in the complaint.
- A complainant may seek mediation assistance with outside mediators.
- The manner of investigation shall be conducted at the case carrier's discretion. The case carrier must, however, provide an opportunity for the complainant or the complainant's representative, or both, and District representatives to present information relevant to the complaint. The case carrier may, in his or her discretion, provide an opportunity for parties to the dispute to meet to discuss the complaint or question each other's witnesses.

Completion of the Investigation

- The case carrier shall complete his or her investigation and issue a written decision ("Decision") within sixty (60) days of the filing of the complaint, unless you agree, in writing, to extend the time line.

The "Decision" shall contain the following:

- The findings of fact based on the evidence gathered, conclusion of law, the disposition of the complaint and rationale behind it, and any corrective actions, if appropriate.
- The rationale for such disposition. Notice of the complainant's right to appeal the Decision to the Department of Education.
- The Decision shall be sent to the complainant within sixty (60) days of the filing of the complaint.
- The District's procedures for initiating an appeal shall be provided by the District and shall include information regarding your right to file an appeal with the California Department of Education within fifteen (15) days of receiving the District's decision.
- If you file an appeal with the California Department of Education, you must include a copy of your complaint along with a copy of the District's decision. You must include the basis for the appeal of the decision and whether the facts are incorrect and/or the law was misapplied.
- Civil law remedies may be available under state or federal discrimination laws, if applicable. A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable. Civil law remedies by a court include, but are not limited to injunctions and restraining orders, or other remedies or orders.

Where to Obtain More Information

For more information and forms regarding Uniform Complaint Procedure, the Williams Complaint Procedure, Board Policies and/or Administrative Regulations are available upon request at the school or District offices located at 800 S. Garey Ave., Pomona 91766.

Attachment 5

PUSD School Directory

Elementary Schools

Alcott – Pre K - 6	Juan Arretche	(909) 397-4552
Allison - Pre K - 6	Elizabeth Valenzuela	(909) 397-4556
Armstrong – Pre K - 6	Cynthia Sanchez	(909) 397-4563
Arroyo - Pre K - 6	Claudia L. Ruiz/Miguel Hurtado	(909) 397-4568
Barfield – Pre K - 6	Rosario Ambriz	(909) 397-4575
Cortez – Pre K - 8	Lacey Lemus	(909) 397-3750
Decker - Pre K – 6	Rebecca Norwood	(909) 397-4582
Diamond Point - Pre K - 6	Karen Brisley	(909) 397-4586
Golden Springs - Pre K - 6	Deanna Glenn	(909) 397-4596
Harrison – Pre K - 8	Shandria Richmond-Roberts	(909) 397-4600
Kellogg Poly – Pre K - 6	Rabia Minhas	(909) 397-4604
Kingsley – Pre K - 5	Krista Fairley	(909) 397-4609
La Verne Science and Technology Charter - PreK-6	Dolores Lobaina	(909) 397-4684
Lexington – Pre K - 8	Anna Rico	(909) 397-4616
Lincoln – Pre K - 6	Alicia Mc Mullin	(909) 397-4624
Lopez – Pre K - 6	Janet Fultz	(909) 397-4438
Madison – Pre K - 6	Jesus Peralta	(909) 397-4644
Montvue – Pre K - 6	Samuel Padilla	(909) 397-4655
Pantera - Pre K - 6	Albert Tan	(909) 397-4475
Philadelphia – Pre K - 6	Alicia Castaneda	(909) 397-4660
Ranch Hills – Pre K - 6	Todd Riffell	(909) 397-4978
Roosevelt – Pre K - 5	Alejandro Villa	(909) 397-4666
San Antonio – K - 5	Selene Amancio	(909) 397-4981
San Jose – Pre K - 8	Jorge Amancio	(909) 397-4670
Vejar – Pre K - 8	Madelene Brooks	(909) 397-4985
Washington – Pre K - 5	Alan Pantanini	(909) 397-4675
Westmont – Pre K - 6	Cynthia Badillo	(909) 397-4680

Middle Schools

Emerson – 6 - 8	Jesus Altamirano	(909) 397-4516
Lorbeer - 7 - 8	Angelique Butler	(909) 397-4527
Marshall – 6 - 8	Juan Ortiz	(909) 397-4532
Simons - 6 - 8	Cristine Goens	(909) 397-4544

High Schools

Diamond Ranch - 9 - 12	Suzanne Steinseifer-Ripley	(909) 397-4715
Ganesha – 9 - 12	Jennifer Francev	(909) 397-4400
Garey – 9 - 12	Marco Sanchez	(909) 397-4451
Fremont – 7 - 12	Elizabeth Harper	(909) 397-4521
Palomares – 7 - 12	Camille Ramos-Beal	(909) 397-4539
Park West – 10 - 12	Luis Rodriguez	(909) 397-4900, ext. 2300
Pomona – 9 - 12	Roger Fasting	(909) 397-4498
Pomona Alternative – 7 - 12	Luis Rodriguez	(909) 397-4900, ext. 2400
Village Academy – 9 - 12	Joseph Biagioni	(909) 397-4900
Adult & Career Education	Enrique Medina	(909) 469-2333, ext. 301
School of Extended Educational Options - 7 – 12	Tom Sweeney	(909) 397-4900, ext. 2400

Attachment 6

PUSD Program Directory

Adult & Career Education	Enrique Medina	(909) 469-2333, ext. 24301
Alternative Education	Fernando Meza	(909) 397-4800, ext. 23942
Business Services	Leslie Barnes	(909) 397-4800, ext. 23888
Child Development	Eileen Carrillo-Lau	(909) 397-4740, ext. 25206
Civic Center	Joseph Williams (interim)	(909) 397-4711, ext. 21311
Community & Employee Relations	Diana Marmolejo-Reymundo	(909) 397-4800, ext. 23950
Curriculum (Pre-K – 12)	Monica Principe	(909) 397-4800, ext. 23603
Elementary School Support	Lilia Fuentes	(909) 397-4800, ext. 23042
Environmental Health & Safety Officer	Joseph Williams	(909) 397-4800, ext. 23668
Family Support & Resource Center	Patricia Azevedo	(909) 397-4491, ext. 26501
Food & Nutrition Services	Daryl Hickey	(909) 397-4711, ext. 21100
Gifted & Talented Education	Pat Pawlak	(909) 397-4711 ext. 21231
Foster Children Support	Cesar Casarrubias	(909) 397-4648, ext. 28200
Health Services	Mark Maine	(909) 397-4648, ext. 28351
Homeless Program Liaison	Patricia Azevedo	(909) 397-4491, ext. 26501
Educational Services	Stephanie Baker	(909) 397-4800, ext. 23125
Educational Technology	Jennifer Wagner	(909) 397-4711, ext. 21211
Maintenance & Operations/Transportation	Adriana Castaneda	(909) 397-4800, ext. 23906
Parent Volunteer/ Risk Management	Amy Mc Elwain	(909) 397-4800, ext. 23884
Human Resources	Darren Knowles	(909) 397-4800, ext. 23800
Professional Development	Stephanie Baker	(909) 397-4800, ext. 23125
Pupil & Community Services	Fernando Meza	(909) 397-4800, ext. 23942
Pupil & Community Services	Krystana Walks-Harper	(909) 397-4800, ext. 23950
Pupil Resources & School Climate	Cesar Casarrubias	(909) 397-4648, ext. 28200
Assessment and Accountability	Sylvia San Martin	(909) 397-4800, ext. 23833
ROP/School-to-Career	Marie Dennis	(909) 397-4711, ext. 21500
School Mental Health Services	Patricia Azevedo	(909) 397-4491, ext. 26501
Significant Disproportionality	Kathrine Morillo-Shone	(909) 397-4800, ext. 23071
School Improvement Grant	Stacey Wilkins	(909) 397-4800, ext. 23633
Secondary School Support	Monica Principe	(909) 397-4800, ext. 23836
Special Education / SELPA	Jennifer Yales	(909) 397-4648, ext. 28100
State & Federal Programs	Zoila Savaglio	(909) 397-4800, ext. 23829

See the Pomona Unified School District Web Pages at: <http://www.pusd.org/>

Attachment 7

Notice of Alternative Schools

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

- (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- (b) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- (d) Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located.

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

Form 1

ANNUAL NOTIFICATION OF PLANNED PESTICIDE USE - SCHOOL YEAR 2017-2018

Dear Parent/Guardian and Staff Members,

The Healthy Schools Act of 2000 requires that all California school districts notify parents/guardians and staff members of pesticides that the District may expect to apply during the year. We intend to use the following pesticides, if/as necessary, at your school/site:

<u>Name of Pesticide</u>	<u>Active Ingredient(s)</u>	
Round-up ProMax, Herbicide	Glyphosate, N	48.7%
Pendulum Aqua Cap, Herbicide	Pendimethalin, N	38.7%
Garlon 4, Herbicide	Triclopyr	61.6%
Mecomec 2.5, Herbicide	Propionic Acid	26.4%
Fusilade II, Herbicide	Fluazifop – P – Buty	24.5%
Florel Fruit Eliminator, Herbicide	Ethephon Phosphonic Acid	3.9%
Cool Power, Herbicide	Isoctyl Ester	56.14%
Drive 75 DF, Herbicide	Quinclorac	75%
Scythe, Herbicide	Pelagenic Acid	57%
Sedge Hammer, Herbicide	Halosulfuron-Methyl	75%
Ronstarr, Herbicide	Oxadiazon	2%
No foam B, Spreader	Octyl Phenoxy Polyethoxy	25%
Trilpeline, Foam Away	Polydimethylsiloxane	10%
Signal, Blue Colorant	N/A	N/A
Revolver, Herbicide	Foramsulfuron	2.34%
Activator 9 0, Surfactant-Penntant	Alkylphenol ethoxylate	90%

Parents/guardians may request prior notification of individual pesticide applications. People listed on this registry will be notified at least 72 hours before pesticides are applied. If you would like to be notified, please mail the form below to: 800 S. Garey Avenue, Pomona, CA 91766, Attention: Maintenance & Operations Department.

You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation’s Web Site at <http://www.cdpr.ca.gov>. If you have any questions regarding the posting notices or the advance notice request registry, please contact the Maintenance & Operations Department @ (909) 397-4800, ext. 23906.

Sincerely,
Joe Williams
Environmental Health & Safety Officer

I would like to be notified 72 hours before each pesticide application.

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

Please print neatly: School/Department _____

Name Parent/Guardian/Employee: _____ Date: _____

Address: _____

Day Phone: (____) _____ Evening Phone: (____) _____

E-Mail: _____

Please return to: 800 S. Garey Avenue, Pomona, CA 91766, Attention: Maintenance & Operations Department.

To access the school’s integrated pest management plan, please visit the District Webpage at www.pusd.org.

POMONA UNIFIED SCHOOL DISTRICT, 800 S. Garey Avenue, Pomona, CA 91766

COMPLAINT FORM

PLEASE TYPE OR PRINT

Your Name: _____ Date: _____

Address: _____ Telephone: _____

Cell: _____

I am a: Parent Pupil Employee Community Member Other: _____

My complaint is about a: Person Program Activity Specify: _____

Uniform Complaints

(Check any box that applies below)

- | | | |
|--|--|---|
| <input type="checkbox"/> Adult Basic Education | <input type="checkbox"/> Special Education Programs | <input type="checkbox"/> School Safety Plans |
| <input type="checkbox"/> Migrant Education | <input type="checkbox"/> Consolidated Categorical Aid Programs | <input type="checkbox"/> Unlawful Discrimination |
| <input type="checkbox"/> Vocational Education | <input type="checkbox"/> Child Care and Development Programs | <input type="checkbox"/> Sexual Harassment |
| <input type="checkbox"/> Pupil Fees | <input type="checkbox"/> Child Nutrition Programs | <input type="checkbox"/> Bullying |
| <input type="checkbox"/> Lactation Accommodations | <input type="checkbox"/> Course Periods without Educational Content | <input type="checkbox"/> Foster Care/Homeless Student |
| <input type="checkbox"/> After School Education and Safety | <input type="checkbox"/> Local Control Accountability Plan | <input type="checkbox"/> Educational Rights |
| <input type="checkbox"/> Tobacco Use Prevention Education | <input type="checkbox"/> Every Student Succeeds Act/No Child Left Behind | <input type="checkbox"/> Physical Education Instructional Minutes |

Other Complaints

(Check any box that applies below)

- | | | |
|---|--|---|
| <input type="checkbox"/> Against District Employee | <input type="checkbox"/> Employee vs. Employee | <input type="checkbox"/> Pupil Complaints |
| <input type="checkbox"/> Improper Governmental Activity | | |

*** For "Williams" complaints, use Education Code Section 35186 Williams Complaint Form ***

Explain the nature of your complaint. Please print or type below (or attach statement). Provide names, dates, times, places, whether any witnesses were present, etc. (Attach additional sheets if necessary).
I have attached supporting documents: <input type="checkbox"/> No <input type="checkbox"/> Yes
Have you discussed your complaint with any school district personnel? <input type="checkbox"/> No <input type="checkbox"/> Yes
If yes, name(s):
What was the result?

I understand that by filing this complaint, I authorize the school district to investigate and disclose such information as may be reasonably necessary to investigate and resolve this complaint. I understand that the school district may request further information about this matter, and if such information is available, I agree to provide it upon request. I also understand that a copy of this complaint may be given to the employee or supervisor against whom the complaint is made (if applicable). I acknowledge that the school district prohibits retaliation or harassment against any individual, parent/guardian or the child of a parent/guardian who submits a complaint.

Signature

Date Signed

DESCRIPTIONS

Complainants are encouraged, where possible, to resolve their complaints informally at their school or work site or through the District Office. Further explanation of the District's complaint policy is available at Community & Employee Relations (909) 397-4800 x23950.

Uniform Complaints

Adult Basic Education: Complaint about learning goals and objectives, instructional setting, instructional techniques, assessment curriculum standards, etc.

Migrant Education: Complaint about learning goals and objectives, instructional setting or techniques and professional duties and responsibilities, etc.

Vocational Education: Appropriateness of programs, instructional setting, suitable learning environment, climate of mutual respect, professional duties and responsibilities

Special Education Programs: Complaint concerning compliance with state and federal laws regarding special education services and programs.

Consolidated Categorical Aid Programs: The District shall investigate complaints of non-compliance with District, state and/or federal programs such as: federal Title I through VI programs and state programs.

Child Care and Development Programs: Concerns regarding program implementation, services or accommodations for a pupil.

Child Nutrition Programs: Complaints regarding pupil nutrition, participation guidelines, services, qualifications, etc.

School Safety Plans: Complaint regarding non-compliance with or lack of a comprehensive school safety plan for school sites.

Unlawful Discrimination: Complaints regarding discrimination on the basis of actual or perceived sex, sexual orientation, gender, genetic information, ethnic group identification, race, ancestry, age, national origin, religion, color, or mental or physical disability, or association with individuals or groups having any of these characteristics.

Pupil Fees: Complaints regarding the assessment of unlawful fees to pupils.

Sexual Harassment: Sexual harassment is a form of unlawful discrimination and includes unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal, visual, or physical conduct of a sexual nature made by someone in the workplace or in an educational setting. *Sexual harassment complaints will be handled in a confidential manner respecting the privacy of all parties to the fullest extent possible.*

Bullying: Complaints regarding systematic and chronic infliction of physical or psychological harm on a pupil.

Lactation Accommodation: Failure to provide accommodations for lactating students to breast feed, express breast milk, or other needs related to breast feeding.

Course Periods without Educational Content: Failure to get written parental consent or lack of school official's determination regarding Pupil Benefit.

Foster Care/Homeless Student Educational Rights: Denial of immediate enrollment; to remain in school of origin; enrollment in a comprehensive school; partial credit; state graduation requirements; 5th year enrollment, or access to resources, services, or access to resources, services, or activities.

Complaints pertaining to child abuse will be referred to the appropriate county office. Other complaints not covered under this form may be referred to the appropriate District office for internal resolution or to a state or federal agency, as appropriate. Allegations of unlawful employment discrimination may also be filed with the state DFEH office or the federal EEOC offices. Allegations of unlawful discrimination pertaining to pupils may also be filed with the U.S. Department of Education, Office for Civil Rights.



Pomona Unified School District

800 South Garey Avenue, P.O. Box 2900, Pomona, CA 91769 – Ph. (909) 397-4800, Ext. 23882
Fax: (909) 397-4881 Website address: www.pusd.org

EDUCATION CODE SECTION 35186 “WILLIAMS” COMPLAINT FORM

Date Filed: _____

School Site: _____

I request a response Yes No

* By law, all complaints and responses are public record.

Your Name* (optional, but required if response is requested): _____

(please print)

Your Address: _____

Telephone number: _____

(please print)

City: _____

Zip Code: _____

SUBJECT OF WILLIAMS COMPLAINT: Please check all that apply.

Textbooks and instructional materials: Course/grade level: _____ Teacher: _____

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

Teacher vacancy or mis-assignment: Course/grade level: _____ Teacher: _____

- A semester begins and a teacher vacancy exists. (A position to which a single designated certificate employee has not been assigned at the beginning of the year for an entire year or, if the position is one for a one-semester course, a position of which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester).
- Teacher mis-assignment: A teacher is assigned to teach a class for which the teacher lacks subject matter competency or a teacher who lacks credentials or training to teach English Learners is assigned to teach a class with more than 20 percent English Learners pupils in the class.
- A facilities condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff, including: gas leaks; nonfunctioning heating, ventilation, fire sprinklers or air conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; structural damage creating a hazardous or uninhabitable condition; and any other emergency conditions the school district determines appropriate. Restroom problems, e.g., not cleaned/maintained, not operational, lack paper/soap/towels/dryer, locked during school hours.

Location of Problem (Room # or Location): _____

Conditions of facilities that are not maintained in a clean or safe manner or in good repair

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

Please describe the issue of your complaint in detail. Please explain the specific nature of the deficiency or how a condition poses a threat to the health and safety of pupils or staff. Attach additional pages as needed.

Please file this form with the school site principal, or office of the Superintendent located at 800 S. Garey, Pomona, CA 91766, Tel. Number 909-397-4800 x 23882, Fax Number (909) 3897-4881.

District Personnel:

The principal shall make all reasonable efforts to investigate any problems within his or her authority. If a complaint is beyond the authority of the school principal, the principal shall forward the complaint in a timely manner, not to exceed ten (10) working days, to the appropriate District official for resolution. In all cases, for reporting as required by law, **a copy of this form is to be forwarded to the Superintendent's Office within ten (10) working days.**

Williams Settlement Background

The *Williams vs. State of California* case was filed as a class action in San Francisco County Superior Court. The basis of the lawsuit was that the State of California and state educational agencies failed to provide public school pupils with adequate instructional materials, safe school facilities, and qualified teachers. The settlement resulted in five pieces of legislation enacted in 2004. As a result of that legislation, parents/guardians, teachers/staff and pupils may file a complaint regarding any of the following matters:

- Textbooks and instructional materials
- Teacher vacancies or mis-assignments
- Emergency or urgent facility conditions

Please see the reverse side of this form for a complete description of deficiencies covered under the Williams settlement.

How to Fill Out a Complaint Form

- (1) Fill out the complaint form on the reverse side. Add additional pages, if necessary.
- (2) Include your name if you want to be informed of the action taken.
- (3) Turn in the complaint form to the Principal's office or the office of the Superintendent located at 800 S. Garey, Pomona, CA 91766, (909) 397-4800 Ext. 23882.

Exhibit Approved: 8-22-06
Revised: July 1, 2014

POMONA UNIFIED SCHOOL DISTRICT
Pomona, California

Form 4

POMONA UNIFIED SCHOOL DISTRICT
2016-2017 CAL GRANT PROGRAM OPT OUT FOR GRADE 12 PUPILS

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

Pupil Name: _____
Address: _____
City: _____
Telephone No.: _____
School: _____
Date of Birth: _____
Zip Code: _____
Grade: _____

A Cal Grant is money for college that does not have to be paid back. To qualify, a pupil must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent and career colleges or technical schools in California also take Cal Grants.

In order to assist pupils apply for financial aid, all pupils in grade 12 are automatically considered a Cal Grant applicant and each grade 12 pupil's GPA will be submitted to the California Pupil Aid Commission (CASC) electronically by a school or school district official. All grade 12 pupils' GPA will be sent to CASC .by March 2.

Please indicate below you decline to allow the school to electronically send CASC the pupil's GPA. Until a pupil turns 18 years of age, only the parent/guardian may opt out the pupil. Once a pupil turns 18 years of age, only the pupil may opt himself/herself out, and can opt in if the parent/guardian had previously decided to opt out the pupil.

___ I do not want my/my pupil's GPA to be sent to CASC.

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

Signature of Pupil (if pupil is 18 or older)

Form 5

POMONA UNIFIED SCHOOL DISTRICT
2017-2018 COLLEGE AND CAREER GUIDANCE INICIATIVE

PLEASE READ AND COMPLETE THE INFORMATION BELOW AND RETURN IT TO PUPIL RESOURCES

Pupil Name: _____

Address: _____

City: _____

Telephone No.: _____

School: _____

Date of Birth: _____

Zip Code: _____

Grade: _____

Pomona Unified School District (PUSD) is pleased to provide a free resource designed to help your child learn about various colleges and careers. PUSD is partnering with the California College Guidance Initiative (CCGI) to ensure all 6th-12th grade students receive systematic guidance and support as they plan and prepare for life after high school.

Some of the benefits to our students, as a result of this partnership, include:

- Receive customized guidance from middle school through high school in a dashboard environment.
- Explore colleges nationwide
- Monitor their progress toward a-g requirements
- Access information and resources regarding FAFSA and financial aid
- Develop and monito the Plan of Study
- Build and store relevant documents they will need for college and or career.

To see some of the resources available to you and your child, please log onto www.CaliforniaColleges.edu

In order for your child to experience the benefit of the program, student grades, standardized test information (e.g., SAT, ACT, etc.) and coursework are automatically populated into their file. Please be assured the educational records will be stored securely, pursuant to the Family Educational Rights and Privacy Act (FERPA), in accordance to federal and state law, and only shared with CCGI.

If you do not want your child’s educational records to be shared, you may fill out the portion of this letter and signed at the bottom and submit it Pupil Resources at 851 S. Hamilton Blvd. Pomona, CA 91766.

____ I do not want my pupil to participate and have .

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

Signature of Pupil (if pupil is 18 or older)

POMONA UNIFIED SCHOOL DISTRICT
Concussion Information Sheet

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

Symptoms may include one or more of the following:

<ul style="list-style-type: none"> • Headaches • “Pressure in head” • Nausea or vomiting • Neck pain • Balance problems or dizziness • Blurred, double, or fuzzy vision • Sensitivity to light or noise • Feeling sluggish or slowed down • Feeling foggy or groggy • Drowsiness • Change in sleep patterns 	<ul style="list-style-type: none"> • Amnesia • “Don’t feel right” • Fatigue or low energy • Sadness • Nervousness or anxiety • Irritability • More emotional • Confusion • Concentration or memory problems (forgetting game plays) • Repeating the same question/comment
--	---

Signs observed by teammates, parents and coaches include:

<ul style="list-style-type: none"> • Appears dazed • Vacant facial expression • Confused about assignment • Forgets plays • Is unsure of game, score, or opponent • Moves clumsily or displays incoordination • Answers questions slowly • Slurred speech • Shows behavior or personality changes • Can’t recall events prior to hit • Can’t recall events after hit • Seizures or convulsions • Any change in typical behavior or personality • Loses consciousness
--

POMONA UNIFIED SCHOOL DISTRICT

Concussion Information Sheet

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

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

If you think your child has suffered a concussion

Any athlete even suspected of suffering a concussion should be removed from the game or practice immediately. No athlete may return to activity after an apparent head injury or concussion, regardless of how mild it seems or how quickly symptoms clear, without medical clearance. Close observation of the athlete should continue for several hours. The new CIF Bylaw 313 now requires implementation of long and well-established return to play concussion guidelines that have been recommended for several years:

“A student-athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from competition at that time and for the remainder of the day.”

and

“A student-athlete who has been removed may not return to play until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussion and received written clearance to return to play from that health care provider.”

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

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

<http://www.cdc.gov/ConcussionInYouthSports/>

Student-athlete Name Printed

Student-athlete Signature

Date

Parent or Legal Guardian Printed

Parent or Legal Guardian Signature

Date