



**POWAY UNIFIED SCHOOL
DISTRICT**

ANNUAL NOTIFICATION

The Poway Unified School District (PUSD) is required to annually notify pupils, parents, and guardians of their rights and responsibilities, pursuant to California Education Code (EC) 48980. An acknowledgment of receipt of this notice must be signed by the parent or guardian and returned to the school as required by EC 48982.

2023-2024 School Year

Poway Unified School District

15250 Avenue of Science

San Diego, CA 92128

(858) 521-2800

<https://powayusd.com>

The Poway Unified School District (PUSD) is an equal opportunity employer/program and is committed to an active Nondiscrimination Program. PUSD prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived race, color, ancestry, national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or a group with one or more of these actual or perceived characteristics. For more information, please contact: Title IX/Equity Compliance Officer, James Jimenez, Associate Superintendent of Personnel support Services, Poway Unified School District, 15250 Avenue of Science, San Diego, CA 92128, 1-858-521-2800, extension 2121, jjimenez@powayusd.com. For students, you may contact Title IX Coordinator/504 Coordinator Jamie Dayhoff, Director of Attendance and Discipline, Poway Unified School District, 1-858-521-2840, jdayhoff@powayusd.com.



POWAY UNIFIED SCHOOL DISTRICT

Dear Students, Parents and Guardians,

State law requires the Poway Unified School District (PUSD) to provide annual notification to students, parents, and guardians of their rights and responsibilities pertaining to their child's education. Please read this Annual Notification. The parent or guardian is required to acknowledge their receipt of this notice by signing and returning the signature page to their child's school or PUSD program. The parent's or guardian's signature is an acknowledgment that they have been informed of their rights and does not indicate the parent's or guardian's consent for their child to participate or not participate in any particular program listed within the Annual Notification.

Some legislation requires additional notification to the parents or guardians during the school term prior to a specific activity. A separate letter will be sent to the parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate. Other legislation grants certain rights that are to be spelled out in this Annual Notification.

PUSD and its Board recognize that parent or guardian involvement in their child's education promotes student achievement and contributes greatly to the student's success. This Annual Notification contains information on the various ways parental involvement is both permitted and encouraged by federal and state laws, as well as PUSD's policies. PUSD commits to providing a quality education to all of its students in a safe and healthy environment. PUSD looks forward to a successful and positive school year, made possible by the dedicated efforts of its administrators, teachers, paraeducators, support staff, students, and parents and guardians.

Please read this Annual Notification carefully.

Sincerely,

Marian Kim-Phelps, Ed.D. Superintendent
Poway Unified School District

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STUDENT DISCIPLINE

RULES AND PROCEDURES ON SCHOOL DISCIPLINE-EC 35291

ALL STUDENTS

A. Suspension and Expulsion

1. Suspension-EC 48900, 48900.5

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r) inclusive:

- a. (1) Caused, attempted to cause or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold, or otherwise furnished a firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or designee of the principal.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property. Knowingly received stolen school property or private property.
- h. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- k. (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. School districts may not suspend a student for disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties for grades TK-8, inclusive.

(2) School districts may not suspend a student for disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties for grades 1 to 8, inclusive. Suspension for these acts is further prohibited for grades 6 to 8 through July 1, 2025. Recommendations for expulsion of a student for these acts is prohibited for students enrolled in any grade.

- I. Possessed an imitation firearm. As used in this section “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m. Committed or attempted to commit sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- n. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- o. Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
- p. Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” is any method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events
- q. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - i. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
 - 1. Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
 - 2. Causing a reasonable pupil to experience a substantially detrimental effect on the pupil’s physical or mental health.
 - 3. Causing a reasonable pupil to experience substantial interference with the pupil’s academic performance.
 - 4. Causing a reasonable pupil to experience substantial interference with the pupil’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - ii. (A) “Electronic act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, pager, of a communication including, but not limited to, any of the following:
 - 1. A message, text, sound, video, or image.
 - 2. A post on a social network Internet website, including but not limited to: a) Posting to or creating a burn page. “Burn page” means an Internet website created for the purpose of having one or more of the effects listed in paragraph (i); b) creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (i). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purposes of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (i). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

3. An act of cyber sexual bullying. For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (1)-(4), inclusive of paragraph (i). A photograph or other visual recording, as described in this as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording, or other electronic act. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned events.

(B) Notwithstanding paragraph (i) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

- r. “Reasonable pupil” means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.
- s. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for the acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:
 - i. While on school grounds;
 - ii. While going to or coming from school;
 - iii. During the lunch period whether on or off the campus;
 - iv. During, or while going to or coming from, a school-sponsored activity.
- t. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- u. As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- v. For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s misbehavior as specified in Section 48900.5.
- w. (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities. (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and

schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

2. Expulsion

A student may be recommended for expulsion for any of the reasons enumerated in Education Code section 48915, and pursuant to the expulsion procedures identified in Education Code sections 48918 and 48918.5.

3. Other Means of Correction

PUSD may document the other means of correction used and place that documentation in the pupil's record. Other means of correction may include, but is not limited to: a conference between school personnel, the pupil's parent/guardian, and the pupil; referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling; study teams, guidance teams, or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-social or psycho-educational assessment; participation in a restorative justice program; and after-school programs that address specific behavioral issues.

B. Pupil Discipline: Suspensions: Willful Defiance-EC 48901.1; 48900

School districts may not suspend a student for disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties for grades TK-8, inclusive. Suspension for these acts is further prohibited for grades 6 to 8 through July 1, 2025. Recommendations for expulsion of a student for these acts remain prohibited for students enrolled in any grade.

C. Sexual Harassment Policy-EC 231.5, 231.6, 48980(g), 48900.2; 5 California Code of Regulations (CCR) 4917

PUSD will not tolerate sexual harassment by anyone participating in any PUSD program or activity. This includes student-to-student or peer sexual harassment as well as harassment between a student and any PUSD participant. PUSD takes all complaints of sexual harassment seriously, investigates and addresses identified sexual harassment, and if the investigation results in the determination that sexual harassment has occurred, takes reasonable, immediate corrective action to stop the harassment, eliminate a hostile environment, and prevent future sexual harassment.

Alleged pupil sexual harassment in violation of PUSD policy or federal or state law will be handled pursuant to PUSD policy and procedures which can be found online at

<https://powayusd.com/PUSD/media/Board-Images/BoardPolicy/5000/AR-5145-7-Sexual-Harassment.pdf>

A pupil in grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined below.

California Education Code section 212.5 defines sexual harassment as any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under any of the following conditions:

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

Districts are also required to display the policy in a prominent location and include it in an orientation for employees and students. These policies shall include information as to where to obtain specific procedures for reporting charges of sexual harassment and available remedies. The poster must meet the following requirements:

- a. The language in the poster shall be age appropriate and culturally relevant, and the school site may partner with local, state, or federal agencies, or nonprofit organizations
- b. The poster shall be displayed in English and any primary language spoken by 15% or more of the pupils enrolled at the school site
- c. The poster shall be no smaller than 8.5 by 11 inches and use at least 12-point font.
- d. The poster shall display, at minimum, all the following information:
 - i. The rules and procedures for reporting a charge of sexual harassment
 - ii. The name, phone number, and email address of an appropriate school site official to contact to report a charge of sexual harassment.
 - iii. The rights of the reporting pupil, the complainant, and the respondent, and the responsibilities of the school site in accordance with the applicable written policy on sexual harassment.
- e. The poster shall be prominently and conspicuously displayed in each bathroom and locker room at the school site
- f. The poster may be prominently and conspicuously displayed in public areas at the school site that are accessible to, and commonly frequented by, pupils, including but not limited to, classrooms, classroom hallways, gymnasiums, auditoriums, and cafeterias.

D. Hate Violence-EC 48900.3

A pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, or threatened to cause, or participated in an act of, hate violence, as defined in EC 233(e).

E. Harassment, Intimidation or Threats-EC 48900.4

A pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

F. Terroristic Threats Against School Officials, School Property or Both-EC 48900.7

A pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both. A "terroristic threat" includes any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

G. Suspension/Expulsion: Alternative and Other Means of Correction-EC 48900, 48900.5, 48911

Generally, suspension shall be imposed only when other means of correction fail to bring about proper conduct. PUSD may document other means of correction short of suspension and expulsion and place the documentation in the pupil's record. Other means of correction may include: a conference between school personnel, the pupil's parent/guardian and the pupil; referrals to the school counselor or psychologist; study teams, guidance teams or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-educational assessment; after-school programs that address specific behavioral issues; and community service on school grounds during non-school hours. A pupil may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons. A suspension shall be preceded by an informal conference between the principal, the principal's designee, or the district's superintendent of schools and the pupil, and whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At this conference, the pupil shall be informed of the reason for the disciplinary action and other means of correction that were attempted before the suspension.

RIGHTS AND OPTIONS AVAILABLE TO PREGNANT AND PARENTING PUPILS-EC 46015, 221.51, 222.5, 46015

A pregnant or parenting pupil is defined as any pupil who gives or expects to give birth, or any parenting pupil who identifies as the parent of an infant. Pregnant and parenting pupils are entitled to at least eight weeks of parental leave, which can be taken before birth of the pupil's infant if there is a medical necessity, or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The pupil is neither required to take time off nor notify their school that they are doing so; this is a guaranteed minimum right that can be expanded if deemed medically necessary. Parental leave will be considered an excused absence, and the pregnant or parenting pupil is not required to complete any academic work during this period.

A pregnant or parenting pupil may return to their previous school and course of study, and is entitled to make up opportunities for any work missed during the leave. These students are allowed to enroll in a fifth year of high school in order to complete any state or local graduation requirements, except when the school finds that the pupil is reasonably able to complete these requirements in time to graduate high school by the end of their fourth year.

A pregnant or parenting pupil who does not wish to reenroll in his or her previous school is entitled to alternative education options offered by the local education agency. If so enrolled, the pupil shall be given

educational programs, activities, and courses equal to those they would have been in if participating in the regular program. Furthermore, a school may not penalize a student for using any of the accommodations mentioned above.

If a student believes that his or her school is discriminating on the basis of sex in opposition to the rights and entitlements listed above, that student can file a complaint through the standard Uniform Complaint Procedures of *California Code of Regulations*, Title 5 Sections 4600, et. seq.

CALIFORNIA HEALTHY YOUTH ACT-EC 51934, 51938

Students enrolled in PUSD programs or activities may receive instruction in personal health and public safety, which may include accident prevention, first aid, fire prevention, conservation of resources, and health education including comprehensive sexual health education and HIV prevention.

PUSD plans to provide comprehensive sexual health education and/or HIV prevention education during the 2023-2024 school year. The instruction shall include, among other things, information about sexual harassment, sexual abuse, and human trafficking. Information on human trafficking shall include both of the following:

- Information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance; and
- Information on how social media and mobile device applications are used for human trafficking.

Students will be taught by PUSD personnel or an outside agency. If PUSD decides to arrange for an outside consultant to provide comprehensive sexual health education and/or HIV prevention education, PUSD will provide notice to parents/guardians no fewer than 14 days before the instruction is delivered by mail or another form of communication.

A pupil's parent/guardian has the right to request from PUSD, a copy of the California Healthy Youth Act, Education Code section 51930, et. seq. A pupil's parent/guardian also has the right to inspect and review the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education by contacting the school in which their child is enrolled.

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

The excused pupil shall not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent/guardian declines to permit the pupil to receive comprehensive sexual health education or HIV prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks. Alternative educational activity shall be made available to pupils whose parents/guardians have requested that they not receive this instruction.

PUPIL SAFETY: HUMAN TRAFFICKING PREVENTION RESOURCES-EC 49381

The governing board of PUSD will work with their schools that maintain any grades 6 to 12, inclusive, to identify the most appropriate methods of informing parents and guardians of pupils in those grades of human trafficking prevention resources and to implement the identified methods in those schools by January 1, 2020.

CHILD NUTRITION-EC 49510-49520

PUSD provides breakfast and lunch to all students free of charge pursuant to the Universal Meal Program. Meal program details are provided at the pupil's school site and on the Food and Nutrition Department website at <https://powayusdnutrition.com/>. Families are encouraged to still complete the Multipurpose Family Income form. If your household meets certain income eligibility guidelines, you may qualify for additional benefits such as discounts on home internet, free or reduced cost after school care, testing fees, college application fees, and public transportation. The application can be found online at <https://www.myschoolapps.com/> or students may pick up a paper application from the school office.

If you believe you have been subjected to discrimination in any USDA program or activity and you wish to file a complaint, please go to this link: [USDA Discrimination Complaint](#).

RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS-EC 32255-32255.6

Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals based on moral objections and may complete an alternative educational project acceptable to the teacher. In order to refrain from participation, a parent/guardian must submit a written note to their school site of the objections to participating in an educational project involving the harmful or destructive use of animals.

IMMUNIZATION AND COMMUNICABLE DISEASES-EC 48216, 49403

PUSD shall follow all laws, rules, and regulations regarding immunizations required for students to enroll. PUSD shall not admit any student until the student is properly immunized as required by law. If there is good cause to believe a student has been exposed to a disease and their proof of immunization does not show proof of immunization against that disease, PUSD may temporarily exclude the child from school until the local health officer is satisfied that the child is no longer at risk of developing or transmitting the disease.

Students in a home-based private school and students enrolled in an independent study program who do not receive classroom-based instruction may still attend school without specified immunizations. Students without proof of immunization will not be allowed to participate in any on-campus learning or activities.

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

Effective January 1, 2016: The California Legislature eliminated the exemption from specified immunization requirements based upon personal beliefs. A pupil who, prior to January 1, 2016, submitted a letter or affidavit on file at a private or public elementary or secondary school, child day care center, day nursery, nursery school, family day care home, or development center stating beliefs opposed to immunization shall be allowed enrollment to any private or public elementary or secondary school, child day care center, day nursery, nursery school, family day care home, or development center within the state until the pupil enrolls in the next grade span. Grade span means (1) from birth to preschool; (2) Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten; and (3) grades 7 to 12, inclusive. Use of Standardized Medical Exemption Form T By January 1, 2021, the California Department of Public Health is required to develop and make available for use by licensed physicians and surgeons an electronic, standardized, statewide medical exemption request form that would be transmitted using the California Immunization Registry and would be the only documentation of a medical exemption that a school may accept. At minimum, the medical exemption form must require all of the following:

- a. The name, California medical license number, business address, and telephone number of the physician and surgeon who issue the medical exemption, and of the primary care physician of the child, if different from the physician who issued the medical exemption;
- b. The name of the child for whom the exemption is sought, the name and address of the child's parent/guardian, and the name and address of the child's school or other institution;
- c. A statement certifying that the physician has conducted a physical examination and evaluation of the child consistent with the relevant standard of care and complied with all applicable requirements of this law;
- d. Whether the physician who issued the medical exemption is the child's primary care physician. If the issuing physician is not the child's primary care physician, the issuing physician shall also provide an explanation as to why the issuing physician and not the primary care physician is filling out the medical exemption form;
- e. How long the physician has been treating the child;
- f. A description of the medical basis for which the exemption for each individual immunization is sought. Each specific immunization shall be listed separately and space on the form shall be provided to allow for the inclusion of descriptive information for each immunization for which the exemption is sought;
- g. Whether the medical exemption is permanent or temporary, including the date upon which a temporary medical exemption will expire. A temporary exemption shall not exceed one year. All medical exemptions shall not extend beyond the grade span, as defined by H&SC this 120370 law;
- h. An authorization for the department to contact the issuing physician for purposes of this law and for the release of records related to the medical exemption to the department, the Medical Board of California, and the Osteopathic Medical Board of California;
- i. A certification by the issuing physician that the statements and information contained in the form are true, accurate, and complete. Requirement of physicians and surgeons to provide notice to parents/guardians If a parent/guardian requests a licensed physician and surgeon to submit a medical exemption for the parent's/guardian's child, the physician and surgeon shall inform the parent/guardian of the requirements set forth above. If the parent/guardian consents, the physician and surgeon shall examine the child and submit a completed medical exemption certification form to the State

Requirement of Physicians and Surgeons to Provide Notice to Parents

If a parent/guardian requests a licensed physician and surgeon to submit a medical exemption for the parent's/guardian's child, the physician and surgeon shall inform the parent/guardian of the requirements set forth above.

If the parent or guardian consents, the physician and surgeon shall examine the child and submit a completed medical exemption certification form to the State Department of Public Health.

Requirement by Schools to Submit Annual Reports on Immunization Status to the State

The governing board of a school district must file a written report on the immunization status of new students to the school with the State Department of Public Health and the local health department at times and on forms prescribed by the State Department of Public Health. These reports are required to be filed on at least an annual basis.

State's Review of Medical Exemptions

Requires the State Department of Public Health to annually review immunization reports from schools to identify schools with an overall immunization rate of less than 95%, physicians and surgeons who submitted 5 or more medical exemption forms in one calendar year, and schools and institutions that do not report immunization rates to the department. A clinically trained department staff member who is a physician and

surgeon or registered nurse is required to review all medical exemption forms submitted meeting those conditions. Medical exemptions issued prior to January 1, 2020 will not be revoked unless the exemption was issued by a physician or surgeon that has been subject to disciplinary action by the Medical Board of California or the Osteopathic Medical Board of California.

Appeal Rights

A parent/guardian may appeal a medical exemption denial or revocation to the Secretary of California Health and Human Services. The appeal is to be conducted by an independent expert review panel of licensed physicians and surgeons, who are required to evaluate appeals consistent with specified guidelines and to submit its decision to the Secretary. The Secretary is required to adopt the determination of the independent expert review panel and promptly issue a written decision to the child's parent/guardian. This final decision is not subject to further administrative review. The student who is appealing a medical exemption revocation may continue school attendance without being required to commence the immunization schedule required for conditional admittance, so long as the appeal is filed within 30 calendar days of the revocation.

MEDICATION AND SELF-ADMINISTRATION OF ASTHMA MEDICATION-EC 49423, 49423.1

Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the physician or physician assistant and a parental/guardian request for assistance in administering the medications. Any student may carry and self-administer prescription auto-injectable epinephrine only if the student submits a written statement of instructions from the physician or physician assistant and written parental/guardian consent authorizing the self-administration of medication, providing a release for the school nurse or other personnel to consult with the child's health care provider as questions arise, and releasing the district and personnel from civil liability if the child suffers any adverse reaction as a result of the self-administration of medication.

School districts must accept a written statement provided by a physician or surgeon permitting a student to self-administer asthma medication. The written statement shall detail the following:

- a. The name, method, amount, and time schedules by which the medication is to be taken.
- b. A confirmation that the student can self-administer inhaled asthma medication.
- c. A written statement from the parent, foster parent, or guardian consenting to the self-administration.
- d. A release for the school nurse or other designated school personnel to consult with the healthcare provider of the student regarding any questions that may arise about the medication.
- e. A release from civil liability for the school district and school personnel if the student suffers an adverse reaction by taking the medication.

The statement from the student's physician or surgeon may be one who is contracted with a prepaid health plan operating in Mexico, provided the statement is in both English and Spanish. A school nurse or other designated school personnel will be subject to professional review, liable in a civil action or subject to criminal prosecution for acts or omissions relating to the student self-administering the medication in accordance with the physician's written statement. Furthermore, a school district will not be subject to civil liabilities if the student suffers an adverse reaction self-administering the asthma medication in accordance with the written statement from the physician.

As required by State Law (EC 49414), all District schools stock epinephrine auto-injectors. The District may administer this stock epinephrine to individuals who may have symptoms of an undiagnosed life-threatening allergy.

INFORMATION REGARDING TYPE 1 DIABETES-EC 49452.6; TYPE 2 DIABETES-EC49452.7

[Type 1 Diabetes Information](#) [Type 2 Diabetes Information](#)

On and after January 1, 2023, the governing board of a school district shall make the Type 1 Diabetes informational materials accessible to the parent/guardian of a pupil when the pupil is first enrolled in elementary school, or with the annual notifications provided pursuant to Section 48980. Information provided to parents/guardians pursuant to this section may include, but shall not be limited to, all of the following: (1) A description of Type 1 Diabetes. (2) A description of the risk factors and warning signs associated with Type 1 Diabetes. (3) A recommendation regarding those pupils displaying warning signs associated with Type 1 Diabetes that the parents/guardians of those pupils should immediately consult with the pupil's primary care provider to determine if immediate screening for Type 1 Diabetes is appropriate. (4) A description of the screening process for Type 1 Diabetes and the implications of test results. (5) A recommendation that, following a Type 1 diagnosis, parents/guardians should consult with the pupil's primary care provider to develop an appropriate treatment plan, which may include consultation with and examination by a specialty care provider, including, but not limited to, a properly qualified endocrinologist.

CONTINUING MEDICATION REGIMEN-EC 49480

The parent or legal guardian of any pupil on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other contact person of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS-EC 49471, 49472

PUSD provides the opportunity for parents/guardians to enroll in a medical/hospital services program for injuries students may sustain while participating in school programs or activities. PUSD will notify each parent/guardian of each pupil participating in athletic activities that such medical or hospital services are not provided.

PUPILS WITH TEMPORARY DISABILITIES; INDIVIDUAL INSTRUCTION-EC 48206.3, 48207, 48207.3, 48207.5, 48208

Special individual instruction (as distinct from independent study) is available for students with temporary disabilities that make attendance at school impossible or inadvisable. Parents/guardians should first contact their school site principal to determine services. This individual instruction shall be received at home or in a hospital or other residential health facility, except a state hospital, for a minimum of 10 days.

DISABLED PUPILS-SECTION 504 OF THE REHABILITATION ACT OF 1973

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

- Name and contact information of PUSD's designated individual for implementing Section 504: James Dayhoff, Director of Attendance and Discipline, jdayhoff@powayusd.com, (858) 521-2840

- Screening and evaluation procedures used by PUSD when there is a reason to believe a student has a disability under Section 504: [Poway Unified - Attendance and Discipline](#)
- A student has the right to a written accommodation plan if the student qualifies for services under Section 504.
- A student has the right to be educated with non-disabled students to the maximum extent appropriate based on the student's needs.
- A copy of the parents/guardians legal procedural safeguard can be obtained at: <https://www.powayusd.com/en-US/Departments/Attendance-Discipline/504-Parent-Guardian-Rights>

SPECIAL EDUCATION: CHILD FIND SYSTEM-IDEA; EC 56301

Federal and state law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years, including pupils that are migrant or homeless or wards of the state and children with disabilities attending private schools. Any parent suspecting a child has exceptional needs due to a disability may request an assessment for eligibility for special education services. [/BP-6164-4-Identification-and-Evaluation-of-Individuals-for-Special-Education.pdf](#)
BP6164.4(a)

SPECIAL EDUCATION: COMPLAINTS-EC 56500.2; 5 C.C.R. 3080

Parents/guardians have a right to file a written complaint with the school if they believe the school is in violation of federal or state law governing the identification or placement of special education students, or similar issues. State regulations require the party filing the complaint to forward a copy of the complaint to PUSD at the same time the party files the complaint with the California Department of Education. Procedures are available from your student's school principal.

SPECIAL EDUCATION: DUE PROCESS HEARINGS-EC 56502

The State Superintendent is required to develop a model form to assist parents and guardians in filing requests for due process. Please visit:

<https://www.dgs.ca.gov/OAH/Case-Types/Special-Education/Services/Page-Content/Special-Education-Services-List-Folder/Requesting-a-SE-Hearing> for the model form for parents/guardians who wish to initiate due process hearings relating to special education rights.

SPECIAL EDUCATION: INSPECTION OF RECORDS-EC 56043(n)

Parents/guardians have a right to inspect and review all of their child's education records without unnecessary delay, including prior to a meeting about a child's IEP or before a due process hearing. The school district must provide access to records and copies, if requested, within five (5) business days after the request has been made orally or in writing.

SPECIAL EDUCATION: NONPUBLIC, NONSECTARIAN SCHOOLS OR AGENCIES-EC 51225.2; 56365; 56366.1; 56366.4; 56366.10

NPSs/NPAs Training: The NPA or NSP is required to document the training of staff who will have contact or interaction with students during the school day in the use of evidence-based practices and interventions specific to the unique behavioral needs of the NPS'/NPA's student population. The training must be provided within 30 days of enrollment for new staff, and annually to all staff who have contact with students during the school day. The training shall be selected and conducted by the NPS/NPA and must satisfy the following conditions:

1. Be conducted by persons licensed or certified in fields related to the evidence-based practices and interventions being taught;
2. Be taught in a manner consistent with the development and implementation of individualized education programs; and
3. Be consistent with the requirements of Education Code relating to pupil restraint and seclusion

The content of the training shall include, but is not limited to, all the following:

1. Positive behavioral intervention and supports, including collection, analysis, and use of data to inform, plan and implement behavioral supports;
2. How to understand and address challenging behaviors, including evidence-based strategies for preventing those behaviors; and
3. Evidence-based interventions for reducing and replacing the challenging behaviors, including de-escalation techniques.

The LEA contracting with the NPS/NPA shall annually verify compliance with these training requirements and the NPS/NPA shall annually report to the California Department of Education (“CDE”) this verification. Written records of the annual training shall be maintained and provided upon request.

NPS/NPA Administrator Credential/License: The NPS/NPA is required to document (in the application for certification with CDE) that the administrator of the NPS/NPA holds, or is in the process of obtaining, one of the following:

1. An administrative credential granted by an accredited postsecondary education institution and two years of experience with students with disabilities;
2. A pupil personal services credential and authorizes school counseling or psychology;
3. A license as a clinical social worker issued by the Board of Behavioral Sciences;
4. A license in psychology regulated by the Board of Psychology;
5. A master’s degree issued by an accredited postsecondary institution in education, special education, psychology, counseling, behavioral analysis, social work, behavioral science, or rehabilitation;
6. A credential authorizing special education instruction and at least two years of experience teaching in special education before becoming an administrator;
7. A license as a marriage and family therapist certified by the Board of Behavioral Sciences
8. A license as an educational psychologist issued by the Board of Behavioral Sciences; or
9. A license as a professional clinical counselor issued by the Board of Behavioral Sciences

NPS/NPA Notification of Law Enforcement Involvement: A NPS/NPA is required to notify CDE and the LEA of any student-involved incident at the NPS/NPA in which law enforcement was contacted. This notification shall be provided in writing no later than one business day after the incident occurred.

NPS/NPAs Qualified Individual to Implement a Behavioral Intervention Plan (“BIP”): A NPS serving students with significant behavioral needs or who have a BIP must have an individual onsite during school hours who is qualified and responsible for the design, planning and implementation of behavioral interventions to be certified by CDE.

Requirements for School Districts: For a NPS/NPA seeking initial certification, the school district is required to verify that the plan and timeline for the new training requirements are included in the master contract. For NPS/NPAs not in existence as of January 1 immediately preceding a school year, the school district is required

to verify that the new training requirements are complied with 30 days following the commencement of the school year. The school district is required to submit verification to the Superintendent at that time.

A school district that enters into a master contract with a NPS/NPA school shall conduct, at minimum, the following:

1. An onsite visit to the NPS/NPA before placement of a pupil if the school district does not have any pupils enrolled at the school at the time of placement
2. At least one onsite monitoring visit during each school year to the NPS/NPA at which the school district has a pupil attending and with which it maintains a master contract. The monitoring visit shall include, but is not limited to:
 - a. A review of services provided to the pupil through the individual service agreement between the school district and NPS/NPA;
 - b. A review of progress the pupil is making toward the goals set forth in the pupil's Individualized Education Program;
 - c. A review of progress the pupil is making toward the goals set forth in the pupil's BIP if the pupil has a BIP;
 - d. An observation of the pupil during instruction; and
 - e. A walkthrough of the facility
3. The school district shall report the findings resulting from the monitoring visit to CDE within 60 days of the onsite visit. On or before June 30, 2020, CDE shall, with input from special education local plan area administrators, create and publish criteria for reporting this information to the department.

PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT-EC 49451, 49455; 20 U.S.C. § 1232h

During the school year, various mandated health screening services will be provided for your student at various grade levels (vision, hearing, and color vision). Referrals by teachers, parents/guardians, and adult students are also accepted. Students may be excused from these mandated screenings upon written parental/guardian request if it is accompanied by a current report from the students' own health care provider.

Include approximate dates during the school year when any non-emergency physical examination or screening is scheduled that is 1) required as a condition of attendance; 2) administered by the school; and 3) is not necessary to protect the immediate health and safety of the pupil or other pupils.

Whenever there is good reason to believe the child is suffering from a recognized contagious or infectious disease, the child will be excluded from school attendance and is not permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist. The notifications should include approximate dates during the school year when any non-emergency, physical examination or screening is scheduled, or expected to be scheduled, that is 1) required as a condition of attendance; 2) administered by the school; and 3) is not necessary to protect the immediate health and safety of the pupil or other pupils.

Education Code section 49455 requires a pupil's vision and hearing to be appraised by the school nurse or other authorized person during kindergarten or upon first enrollment or entry in a California school district of a pupil at an elementary school, and in grades 2, 5, and 8 unless a pupil's first entry or enrollment occurs in grade 4 or 7. It also requires that a students' hearing be tested in grade 10.

CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM-HSC 124085, 124105

Before a child enters first grade, their parents/guardians must obtain a waiver or health screening for the child and complete the provided certificate or sign a waiver. The screening should take place before (within the prior

18 months) or during the kindergarten year. Parents/guardians are encouraged to obtain health screening simultaneously with required immunizations. Parents/guardians may inquire in the school office about free health screenings for low-income children provided under the Child Health and Disabilities Prevention Program.

A first grade pupil who has not provided either a certificate or a waiver on or before the 90th day after the pupil's entrance into the first grade must be excluded from school for up to five days based on the failure to comply or sign a waiver. School districts may exempt any pupil from the exclusion if, at least twice between the first day and the 90th day after the pupil's entrance into the first grade, the DISTRICT has contacted the pupil's parent/guardian and the parent/guardian refuses to provide either a certificate or a waiver as specified in Section 124085. Parents/guardians are entitled to notification of the availability of free health screenings through the local health department.

FOSTER YOUTH BILL OF RIGHTS- 48645.7, 48850–48853.5, 49069.5, 51225.1, 51225.2; Welfare and Institutions Code (IWC) 16001.9

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

When a juvenile court school pupil becomes entitled to a diploma pursuant to subdivision (d) of EC 48645.5, the county office of education shall notify the pupil, the person holding the right to make educational decisions for the pupil, and the pupil's social worker or probation officer of all of the following:

- a. The pupil's right to a diploma pursuant to subdivision (d) of Section 48645.5.
- b. How taking coursework and other requirements adopted by the governing board of the county office of education or continuing education upon release from the juvenile detention facility will affect the pupil's ability to gain admission to a postsecondary educational institution.
- c. Information about transfer opportunities available through the California Community Colleges.
- d. The pupil's or the education rights holder's, as applicable, option to allow the pupil to defer or decline the diploma and take additional coursework pursuant to paragraph (2) of subdivision (b) or subdivision (c) of EC 48645.7.

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

- The pupil is entitled to remain in their school of origin;
- The pupil has an individualized education program requiring placement in a nonpublic, nonsectarian school, or in another local educational agency
- The parent/guardian, or other person holding the right to make educational decisions for the pupil pursuant to Section 361 or 726 of the WIC or Section 56055 (“educational rights holder”), determines that it is in the best interests of the pupil to be placed in another educational program and has submitted a written statement to the local educational agency that they have made that determination.

This statement shall include a declaration that the parent, guardian, or educational rights holder is aware of all of the following:

- a. The pupil has a right to attend a regular public school in the least restrictive environment.
- b. The alternate education program is a special education program, if applicable.
- c. The decision to unilaterally remove the pupil from the regular public school and to place the pupil in an alternate education program may not be financed by the local educational agency.

- d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent, guardian, or educational rights holder.

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

A pupil in foster care may still be subject to expulsion under applicable law and board policy.

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

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

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

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

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

PUSD has designated Ms. Mercedes Hubschmitt at (858) 521-2800 as the educational liaison for pupils in foster care. The role of educational liaison is advisory with respect to placement decisions and determination of school of origin and does not supersede the role of the parent/guardian retaining educational rights, a responsible adult appointed by the court, a surrogate parent or a foster parent exercising their legal rights with respect to the education of the child in foster care. The educational liaison serves the following roles:

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

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

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

Juvenile court school students continue to have the right to a diploma upon completion of state graduation requirements. Students have the additional right to defer the granting of that diploma until release, at which time they can also decline the issuance of a diploma for the purpose of re-enrolling in their home school for further study. When a juvenile court school student becomes entitled to a diploma for meeting state graduation requirements, the County Office of Education 23 must provide the student (or the educational rights holder if the student is not yet 18) and the student's social worker or probation officer information regarding of the following:

1. The student's right to a diploma;
2. How taking coursework and other requirements adopted by the COE or continuing education upon release will affect the student's ability to gain college admission;
3. Transfer opportunities available through California community colleges;
4. The student's or the education rights holder's option to allow the student to defer or decline the diploma and take additional coursework.

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

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

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

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

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

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

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

Inform the pupil of their option to remain in school for a fifth year to complete the local educational agency’s graduation requirements.

1. Inform the pupil, and the educational rights holder, about how remaining in school for a fifth year to complete the local educational agency’s graduation requirements will affect the pupil’s ability to gain admission to a postsecondary educational institution.
2. Provide information to the pupil about transfer opportunities available through the California Community Colleges.
3. Permit the pupil to stay in school for a fifth year to complete the local educational agency’s graduation requirements upon agreement with the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, upon agreement with the educational rights holder.

If the local educational agency fails to provide timely notice of the exemption, the pupil shall be eligible for the exemption, once notified, even if that notification occurs after the termination of the court’s jurisdiction of the pupil or after the pupil is no longer considered a homeless youth.

If a foster child or homeless youth is exempt from local graduation requirements pursuant to this section and completes the statewide coursework requirements before the end of their fourth year of high school and that

pupil would otherwise be entitled to remain in attendance at the school, a school or local educational agency shall not require or request that the pupil graduate before the end of their fourth year of high school, nor shall they be required to accept the exemption or be denied enrollment in courses for which they are otherwise eligible.

If a foster child or homeless youth is not exempt from local graduation requirements or has previously declined the exemption pursuant to this section, a local educational agency shall exempt the pupil at any time if an exemption is requested by the pupil and the pupil qualifies for the exemption. The exemption shall apply after termination of the court's jurisdiction or after the pupil is no longer considered homeless.

A transfer shall not be requested solely to qualify for an exemption under this section.

The local educational agency shall accept coursework satisfactorily completed by a child in foster care or a pupil who is a homeless youth while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school even if the pupil did not complete the entire course and issue that pupil full or partial credit for the coursework completed.

The local educational agency may not require a child in foster care or pupil who is a homeless youth to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school. If the pupil did not complete the entire course, the local educational agency may not require the pupil to retake the portion of the course the pupil completed unless the local educational agency in consultation with the educational rights holder, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the child in foster care or pupil who is a homeless youth shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course. The pupil shall not be prevented from taking or retaking a course to meet eligibility requirements for admission to the California State University or University of California.

A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

CHILDREN OF MILITARY FAMILIES AND OTHER PROTECTED PUPILS-EC 49700-49703, 51225.1, 51225.2

A pupil who is a "child of a military family" is defined as school-aged child or children, enrolled in kindergarten through twelfth grade, in the household of an active duty member. "Active duty" means full-time status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. sections 1209 and 1211.

Children of military families who transfer between schools any time after the completion of the pupil's second year of high school shall be exempt from all coursework and other graduation requirements adopted by the governing board of the local educational agency that are in addition to the statewide coursework requirements,

unless the local educational agency makes a finding that the child of a military family is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.

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

1. Inform the pupil of his or her option to remain in school for a fifth year to complete the local educational agency's graduation requirements.
2. Inform the pupil, and the educational rights holder, about how remaining in school for a fifth year to complete the local educational agency's graduation requirements will affect the pupil's ability to gain admission to a postsecondary educational institution.
3. Provide information to the pupil about transfer opportunities available through the California Community Colleges.
4. Permit the pupil to stay in school for a fifth year to complete the local educational agency's graduation requirements upon agreement with the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, upon agreement with the educational rights holder.

Within 30 calendar days of the date that a pupil who is a child of a military family who may qualify for the exemption from local graduation requirements transfers into a school, the school district shall notify the pupil and the pupil's parent/guardian of the availability of the exemption and whether the pupil qualifies for an exemption.

If the District fails to provide timely notice, the pupil shall be eligible for the exemption from local graduation requirements, even if that notification occurs after the pupil no longer meets the definition of "a child of a military family."

If a child of a military family is exempt from local graduation requirements pursuant to this section and completes the statewide coursework requirements before the end of his or her fourth year of high school and that pupil would otherwise be entitled to remain in attendance at the school, a school or local educational agency shall not require or request that the pupil graduate before the end of his or her fourth year of high school, nor shall the child of a military family be required to accept the exemption or be denied enrollment in courses for which they are otherwise eligible.

If a child of a military family is not exempt from local graduation requirements or has previously declined the exemption pursuant to this section, a local educational agency shall exempt the pupil at any time if an exemption is requested by the pupil and the pupil qualifies for the exemption. The exemption shall apply after the pupil no longer meets the definition of "a child of a military family" while the pupil is enrolled in school or if the pupil transfers to another school or school district.

A school district shall not require and a parent/guardian shall not request a child of a military family to transfer schools solely to qualify the pupil for an exemption under this section.

The local educational agency shall accept coursework satisfactorily completed by a pupil who is a child of a military family while attending another public school (including schools operated by the United States

Department of Defense), a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and issue that pupil full or partial credit for the coursework completed.

The local educational agency may not require a child of a military family to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the local educational agency may not require the pupil to retake the portion of the course the pupil completed unless the local educational agency in consultation with the educational rights holder, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the child of a military family shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course. The pupil shall not be prevented from taking or retaking a course to meet eligibility requirements for admission to the California State University or University of California.

A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

The above protections shall also apply to pupils in foster care, pupils who are homeless, former juvenile court school pupils, migratory children, and pupils participating in a newcomer program, as defined in Education Code section 51225.2(a).

ASBESTOS-40 C.F.R. 763.93

PUSD has a current management plan for asbestos containing materials for all district portables. The plan is available for inspection at **Facilities, Maintenance and Operations 13626 Twin Peaks Road, Poway CA 92064 Building 900** during normal business hours.

USE OF PESTICIDES-EC 17612, 48980.3

The name of all pesticides products expected to be applied at the school facilities during the upcoming year can be found at:

<https://www.powayusd.com/en-US/Departments/Business-Support/Facilities/Integrated-Pest-Management>

Persons wishing to be notified in advance of individual pesticide applications may make this request in the PUSD annual continuing registration or online new student enrollment digital packet. Additional information on pesticides is made available by the Department of Pesticide Regulation at www.cdpr.ca.gov.

PUSD has developed an integrated pest management plan to provide a safe and low-risk approach to manage pest problems while protecting the environment, people and property. PUSD's integrated pest management plan can be found at:

<https://www.powayusd.com/en-US/Departments/Business-Support/Facilities/Integrated-Pest-Management>

Parents/guardians may also view the integrated pest management plan at **Facilities, Maintenance and Operations 13626 Twin Peaks Road, Poway CA 92064 Building 900** during normal business hours.

If a pesticide product not included in the annual notification is subsequently intended for use at the school site, the school designee shall, consistent with this subdivision and at least 72 hours before application, provide written notification of its intended use.

SCHOOL BUS AND PASSENGER SAFETY-EC 39831.5

All pupils in pre-kindergarten, kindergarten, and grades 1 to 12, inclusive, in public or private school who are transported in a school bus or school pupil activity bus shall receive instruction in school bus emergency procedures and passenger safety.

For bus safety regulations, including 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 can be found at:

<https://www.powayusd.com/en-US/Departments/Business-Support/Transportation/Bus-Rules>.

At least once in each school year, all pupils in pre-kindergarten, kindergarten, and grades 1 to 8, inclusive, who receive home-to-school transportation shall receive safety instruction that includes, but is not limited to, proper loading and unloading procedures, including escorting by the driver, how to safely cross the street, highway, or private road, instruction on the use of passenger restraint systems, as described in paragraph (3), proper passenger conduct, bus evacuation, and location of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit. As part of the instruction, pupils shall evacuate the school bus through emergency exit doors. Instruction on the use of passenger restraint systems, when a passenger restraint system is installed, shall include, but not be limited to, all of the following: proper fastening and release of the passenger restraint system; acceptable placement of passenger restraint systems on pupils; times at which the passenger restraint systems should be fastened and released; and acceptable placement of the passenger restraint systems when not in use.

WILLIAMS COMPLAINT POLICY AND PROCEDURES-EC 35186

PUSD has adopted a uniform complaint process to help identify and resolve deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or mis-assignment. Notice of the complaint process is posted in all classrooms and the complaint form can be found at:

[Board Policy 1312.3 Uniform Complaint Procedures](#)

[Administrative Procedure 1312.3 Uniform Complaint Procedures and Compliance Officer Information](#)

[Uniform Complaint Form-English](#)

[Uniform Complaint Form-Spanish](#)

NOTICE OF ALTERNATIVE SCHOOLS-EC 58501

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

- Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- Recognize that the best learning takes place when the student learns because of their desire to learn.
- Maintain a learning situation maximizing student self-motivation and encouraging the student in their own time to follow their own interests. These interests may result in whole or in part from a presentation by their teachers of choices of learning projects.
- Maximize the opportunity for teachers, parents/guardians, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.

- Maximize the opportunity for students, teachers, and parents/guardians 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/guardian, 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.”

Poway Unified School District Board Policy: [Board Policy 6181](#)

Poway Unified School District has a continuation school, Abraxas High School. More information about the programs at Abraxas are available here: [Abraxas High School](#).

A copy of the notice shall also be posted in at least two places normally visible to pupils, teachers, and visiting parents/guardians in each attendance unit for the entire month of March in each year.

STATEMENT OF NON-DISCRIMINATION

Discrimination in education programs is prohibited by state and federal law. Education Code section 200, et seq. requires school districts to afford all pupils regardless of gender, gender identity, gender expression, sex, race, color, religion, natural origin, immigration status, ethnic group identification/ethnicity, mental or physical disability, sexual orientation, or the perception of one or more of such characteristics, equal rights and opportunities in accessing educational programs, activities and facilities.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Title IX prohibits discrimination on the basis of sex. The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination on the basis of disability. Also, pursuant to EC 212.1, “race” is inclusive of traits historically associated with race, including, but not limited to, protective hairstyles and textures. “Protective hairstyles” is defined to include (but not limited to) styles such as braids, locks, and twists.

This policy requires notification in the native language of persons with limited English language skills if service area contains a community of minority persons with limited English language skills. PUSD will take the required steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging non-compliance with this policy are investigated through the Uniform Complaint Process.

[5000/BP-5145-3-Nondiscrimination-Harassment.pdf](#)

[5000/AR-5145-3-Nondiscrimination-Harassment.pdf](#)

ATTENDANCE-EC 48980(h)

A. Residency Requirements-EC 48200, 48204, 48204.3, 48204.4, 48204.6, 48204.7

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

Notwithstanding EC 48200, a pupil may alternatively comply with the residency requirements for school attendance in a school district, if they meet any of the following:

1. A pupil who is placed within the boundaries of the school district in a foster home or licensed children's institution as defined in EC 56155.5 or a family home within the boundaries of the school district pursuant to a commitment or a placement under the Welfare and Institutions Code;
2. A pupil who is in foster care who remains in their school of origin.
3. A pupil for whom an Interdistrict Transfer has been approved;
4. An emancipated pupil who resides within the boundaries of the school district;
5. A pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district;
6. A pupil residing in a state hospital located within the boundaries of the school district.
7. A school district shall allow a pupil who is a child of a military family to continue their education in the school of origin, regardless of any changes of residence of the military family during that school year, for the duration of the pupil's status as a child of a military family;
8. A school district shall allow a pupil who is a migratory child to continue attending their school of origin, or a school within the school district of origin, regardless of any change of residence of the pupil; and
9. A pupil whose parent or parents were residents of this state and have departed California against their will, and if the pupil seeks admission to a school of a school district, shall be admitted, regardless of their current residency, provided the pupil has:
 - a. Official documentation evidencing the departure of their parent or legal guardian;
 - b. Moved outside of California as a result of their parent or legal guardian departing against their will and the pupil lived in California immediately before moving outside of California; and provides documentation that the pupil was enrolled in a California public school immediately before moving outside of California.
10. When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r). Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit. (Education Code 46600).

[Administrative Regulation 5117](#)

Migratory students have the right to attend their school of origin in a similar manner to the rights provided to foster students and homeless students. Migratory students must be allowed to continue to attend their school of origin regardless of any subsequent change of residency so long as the student continues to be a student "who is a migratory child." A student who is transitioning between grade levels must be allowed to continue to attend the school district of origin in the same attendance area. A student who is transitioning to middle or high school must be allowed to attend the school district or origin's designated middle or high school even if the school is located within another school district. The enrolling school district is required to enroll the student even if the student has outstanding fees or items due to the last school district, or if the student is unable to produce enrollment records. If the receiving school has a uniform policy the student must immediately be enrolled even if the student does not have the appropriate school uniform clothes. If a migratory student loses their status during the school year, the student will be allowed to attend the school of origin for the remainder of the years for students in Kindergarten through 8th grade. High school students must be allowed to continue at the school of origin through graduation. The school of origin is required to inform the student and their parents/guardians of the student's eligibility to receive migrant education services.

Residency Investigations: The governing board of PUSD has adopted a board policy regarding the process it follows for conducting investigations to determine whether a pupil meets residency requirements for school attendance in the school district. A copy of the PUSD Board Policy BP 5111.1(a) is located at [5000/BP-5111-1-District-Residency.pdf](https://www.pUSD.org/5000/BP-5111-1-District-Residency.pdf)

B. Statutory Attendance Options

- 1. Intradistrict Choice Policy (EC 35160.5(b)):** Residents of the school district may apply to other schools within the school district for their child to attend on a space available basis.
- 2. Interdistrict Attendance (EC 46600, et seq.):** The parent/guardian of a pupil may seek release from the home district to attend a school in any other school district. Each school district of residence and school district of proposed enrollment shall post on its Internet Website the procedures and timelines, including a link to the policy of the governing board of the school district, regarding a request for an interdistrict transfer permit in a manner that is accessible to the public without a password. The information posted on the Internet Web site shall include, but need not be limited to, the following:
 - a. The date upon which the school district will begin accepting and processing Interdistrict Transfer requests for the subsequent school year.
 - b. The reasons for which the school district may approve or deny a request, and any information or documents that must be submitted as supporting evidence.
 - c. If applicable, the process and timelines by which denial of a request may be appealed within the school district before the school district renders a final decision.
 - d. That failure of the parent/guardian to meet any timelines established by the school district shall be deemed an abandonment of the request.
 - e. Applicable timelines for processing a request, including statements that the school district shall do both of the following:
 1. Notify a parent/guardian submitting a current year request, as defined in Section 46600.1, of its final decision within 30 calendar days from the date the request was received.
 2. Notify a parent/guardian submitting a future year request, as defined in Section 46600.1, of its final decision as soon as possible, but not later than 14 calendar days after the commencement of instruction in the school year for which interdistrict transfer is sought, the conditions under which an existing interdistrict transfer permit may be revoked or rescinded.
- 3. Interdistrict Attendance: Prohibition on Transfers by a School District of Residence-(EC46600)** Requires a student's school district of residence to approve an Intradistrict Transfer for a victim of bullying. If there is no available school for an Intradistrict Transfer and the school district of proposed enrollment agrees, the school district of residence may not prohibit the transfer. A school district of proposed enrollment is required to accept all students who apply to transfer as victims of bullying until the district is at maximum capacity. The school district of proposed enrollment are required to ensure the students are selected through an unbiased process that prohibits inquiry into whether the student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, race, ethnicity, gender, gender identity, gender expression and immigration status. Upon request of the parent/guardian, the school district of enrollment is required to provide transportation assistance if the student is also eligible for free or reduced -price meals.

C. Absence for Religious Instruction-EC 46014

Permissive absence may be granted for governing board approved religious exercises or instruction if a pupil has attended at least the minimum school day and for not more than four days per school month.

D. Absence for Confidential Medical Services-EC 46010.1

Students in grades 7 to 12 may be excused for the purpose of obtaining confidential medical services without consent of the pupil's parent/guardian.

PUSD believes that parents/guardians should be involved in the decision surrounding the medical treatment of their students. Therefore, while the Education Code allows school authorities to excuse students in grade 7-12 for the purpose of obtaining confidential medical services without the consent of the student's parent/guardian, it is the policy of the District that school authorities will NOT do so.

E. Notification of Minimum Days and Pupil Free Staff Development Day-EC 48980(c)

A school year calendar including pupil-free staff development days may be accessed at [23-24 Calendar](#). Minimum day notifications will be posted on site-specific webpages.

F. Grade Reduction/Loss of Academic Credit-EC 48980(j)

No pupil shall have their grade reduced or lose academic credit for any excused absence pursuant to EC 48205 for missed assignments/tests that can reasonably be provided/completed.

G. Excused Absence; Justifiable Personal Reasons; Credit (EC 48205); Truancy (EC 48260, et seq.)

State law permits students to be absent for justifiable reasons and allows for completion of missed assignments. Students who are absent without valid excuse, and their parents/guardians, may be subject to truancy and/or criminal proceedings under Education Code section 48260, et seq.

- **Excused Absences:**

- a. Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
 - i. Due to the pupil's illness including an absence for the benefit of the pupil's mental or behavioral health. The state board shall update its illness verification regulations, as necessary, to account for including a pupil's absence for the benefit of the pupil's mental or behavioral health within the scope of this paragraph. .
 - ii. Due to quarantine under the direction of a county or city health officer.
 - iii. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
 - iv. For the purpose of attending the funeral services of a member of their 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.
 - v. For the purpose of jury duty in the manner provided for by law.
 - vi. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
 - vii. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing

- by the parent/guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- viii. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - ix. 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
 - x. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
 - xi. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

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 any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

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

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

e. "Immediate family," as used in this section, means the parent/guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

"Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.

- **Truancy EC 48264.5:**

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

FINGERPRINTING PROGRAM-EC 32390

PUSD does not offer a voluntary fingerprinting program. Fingerprinting requires written parental/guardian consent as well as payment by the parent/guardian of any applicable fees.

SEX EQUITY IN CAREER COUNSELING AND COURSE SELECTION-EC 221.5(d)

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

COLLEGE ADMISSION REQUIREMENTS AND TECHNICAL EDUCATION-EC 51225.3, 51229

For students who wish to continue their education after high school, the State of California offers community colleges, California State Universities (CSU), and Universities of California (UC).

Information pertaining to college admission requirements, information about University of California and California State University websites, information about technical information, and the availability of school counselors to help students in choosing appropriate high school courses can be found on the counseling website of each high school.

PUSD does allow a career technical education course to satisfy the visual/performing arts or world language graduation requirement, more information about high school graduation requirements and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California, as well as a complete list of career technical education courses offered by PUSD that satisfy the subject matter requirements for admission to the California State University and the University of California can be found online at <https://powayusd.com/cte>.

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

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

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

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

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

INFORMATION ABOUT COMPLETION OF APPLICATIONS FOR STUDENT FINANCIAL AID- EC 31225.8

PUSD offers access to the Free Application for Federal Student Aid (FAFSA) may be accessed through the PUSD website at:

<https://www.powayusd.com/en-US/Departments/Alternative-Programs/New-Directions/Counseling/Financial>.

Additional information and guidance on the completion of the FAFSA can be found at:

<https://studentaid.gov/h/apply-for-aid/afsa>.

The California Dream Act application and information is available at the following website:

<https://dream.csac.ca.gov>.

A paper copy of the FAFSA or the California Dream Act application will be made available to a pupil or parent/guardian upon request.

FINANCIAL ASSISTANCE FOR ADVANCED PLACEMENT FEES-EC 48980(j), 52242

A school district may help pay for all or part of the costs of one or more advanced placement examinations charged to economically disadvantaged pupils.

TEACHER QUALIFICATIONS

Parents/guardians of all pupils may request specified professional qualifications of the student's classroom teacher(s) and assigned paraprofessional(s).including, at a minimum, the following:

Whether the student's teacher:

- has met the State qualification and licensing criteria for the grade level and subject areas that the teacher provides instruction;
- is teaching under an emergency or other provisional status through which State qualification or licensing criteria have been waived; and
- is teaching in the field of discipline of the certification of the teacher. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

EMPLOYEE INTERACTIONS WITH PUPILS-EC 44050

The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate. This information may also be accessed at:

<4000/BP-4119-21-4219-21-4319-21-Professional-Standards.pdf>

A school district that maintains a section on employee interactions with pupils in its employee code of conduct shall (1) provide a written copy of the section on employee interactions with pupils in its code of conduct to the parent/guardian of each enrolled pupil at the beginning of each school year and (2) post the section on employee interactions with pupils in its code of conduct, or provide a link to it, on each of its schools' Internet Web sites, or, if a school of a local educational agency does not have its own Internet Web site, on the local educational agency's Internet Website, in a manner that is accessible to the public without a password. School districts may satisfy the requirement to provide a written copy of the section on employee interactions with pupils in its code of conduct to the parent/guardian of each enrolled pupil by including the section on employee interactions with pupils in its code of conduct in the notice required pursuant to EC 48980

UNIFORM COMPLAINT PROCEDURES-5 C.C.R. 4622; EC 33315

Uniform Complaint Procedures (UCP)

The *Poway Unified School District* annually notifies our students, employees, parents/guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of our Uniform Complaint Procedures (UCP) process.

The UCP Annual Notice is available on our website.

We are primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

Programs and Activities Subject to the UCP

- Accommodations for Pregnant and Parenting Pupils
- Adult Education Programs
- After School Education and Safety Programs
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, 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 an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School Safety Plans
- School site Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing

And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) of the California Department of Education (CDE) or designee deems appropriate.

Filing a UCP Complaint

A UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred.

A UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by our agency.

A pupil enrolled in any of our public schools shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee complaint may be filed with the principal of a school or our superintendent or their designee.

A pupil fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

Responsibilities of the Poway Unified School District

We shall post a standardized notice, in addition to this notice, with educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in Juvenile Court now enrolled in a school district.

Complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant.

We advise complainants of the opportunity to appeal an Investigation Report of complaints regarding programs within the scope of the UCP to the Department of Education (CDE).

We advise complainants of civil law remedies, including injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of our UCP procedures shall be available free of charge.

For UCP Complaints Regarding State Preschool Health and Safety Issues Pursuant to Section 1596.7925 of the California Health and Safety Code (HSC)

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the California *Health and Safety Code (HSC)* a notice shall be posted in each California state preschool program classroom in each school in our agency.

The notice is in addition to this UCP annual notice and addresses parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California *Code of Regulations (5 CCR)* that apply to California state preschool programs pursuant to *HSC* Section 1596.7925, and (2) the location at which to obtain a form to file a complaint.

Contact Information

Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints:

Uniform Complaint Procedure Coordinator:

James Jimenez
Associate Superintendent
Personnel Support Services
15250 Avenue of Science

San Diego, CA 92128

Telephone: 858-521-2800 Ext. 2121 Email: jjimenez@powayusd.com

The above contact is knowledgeable about the laws and programs that they are assigned to investigate in the *Poway Unified School District*

More information regarding the Uniform Complaint Procedure, including the individual responsible for processing a Uniform Complaint can be found online at [BP 1312.3](#) and [AR 1312.3\(a\)](#). The Uniform Complaint Procedure forms can be found here: [English](#) and [Spanish](#).

ESSA Section 1112[e][2][A]

Parents/guardians may request, and PUSD will provide the parents/guardians on request (and in a timely manner), information regarding any State or school district policy regarding student participation in any assessments mandated by ESSA Section 1111(b)(2) and by the State or PUSD, which shall include a policy, procedure, or parental/guardian right to opt the child out of such assessment, where applicable.

HOMEWORK ASSIGNMENTS FOR SUSPENDED STUDENTS-EC 48913.5

Upon request of a parent, a legal guardian, or other person holding the right to make educational decisions for the pupil, a teacher shall provide to a pupil in any of grades 1 to 12 who has been suspended the homework that the pupil would otherwise have been assigned. If a pupil turns in a homework assignment requested in the above manner to the teacher upon the pupil's return to school from suspension, or within the timeframe originally prescribe by the teacher (whichever is later), the assignment must be graded for full credit or if not graded, shall not be included in the calculation for that pupil's overall grade.

[BP-5144-1-Suspension-and-Expulsion-Due-Process.pdf](#)

[AR-5144-1-Suspension-and-Expulsion-Due-Process.pdf](#)

PUPIL INSURANCE FOR ATHLETIC TEAMS-EC 32221.5

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 1-800-300-1506 (Medi Cal) or 1-800-880-5305 (CA Healthy Families).

PUSD operates an interscholastic athletic team or teams and coordinates insurance offerings through an outside vendor. Information about this program is available through each high school's athletic office, online at <https://www.peinsurance.com/products/student-insurance/> or by calling 1-800-722-3365.

SCHOOL ACCREDITATION-EC 35178.4

PUSD will notify each parent/guardian of a pupil in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school district's or school's internet website, or by any combination of these methods.

PUPIL HEALTH-ORAL HEALTH ASSESSMENT-EC 49452.8

By May 31 of their first year in school, pupils are required to provide proof of an oral health assessment (conducted within 12 months before enrollment) by a licensed dentist or other licensed or registered dental health professional. Pupils may provide written notice why an oral health assessment by a licensed dentist or other registered dental health professional cannot be completed. Additional information regarding the importance of oral health may also be found online at: <https://www.cde.ca.gov/ls/he/hn/oralhealth.asp>

[Oral Health Letter](#)
[OralHealthAssessment.pdf](#)

PUPIL RECORDS; NOTIFICATION OF RIGHTS-20 U.S.C. 1232g; EC 49062-49069.7

Parents/guardians, pupils 18 and over, pupils 14 and over that are both homeless and an unaccompanied youth, and individuals who have completed and signed a Caregiver's Authorization Affidavit, have rights concerning pupil records under Education Code section 49063. These rights include:

- The right to inspect and review the student's education records within five (5) business days of the day the school receives a request for access. Parents/guardians or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will forward requests to the Custodian of Records. The Custodian of Records will make arrangements for access and notify the parent/guardian or eligible student.
- The right to request the amendment of the student's education records that the parent/guardian or eligible student believes is inaccurate or misleading. Parents/guardians or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, the DISTRICT shall disclose education records without parental/guardian consent.
- When a student moves to a new district, the DISTRICT will forward the student's records upon the request of the new school district within 10 school days.

Parents/guardians or eligible student may find additional information pertaining to student records by visiting: [AR-5125-Student-Records.pdf](#). [AR-5125-3-Challenging-Student-Records.pdf](#).

A foster family agency with jurisdiction over a currently enrolled or former pupil, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver who has direct responsibility for the care of a pupil may access the current or most recent records of grades,

transcripts, attendance, discipline, online communications on school platforms, any IEPs or Section 504 plans maintained by the responsible LEA of that pupil. The above-referenced individuals may access the pupil records listed above solely for the purpose of monitoring the pupil's educational progress, updating and maintaining the pupil's education records as required by Welfare and Institutions Code section 16010, and to ensure the pupil has access to educational services, supports and activities, including enrolling the pupil in school, assisting the pupil with homework, class assignments, and college and scholarship applications, and enrolling the pupil in extracurricular activities, tutoring and other after school or summer enrichment programs.

"Student Records" do not include:

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

Parents/guardians have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

CONCUSSION AND HEAD INJURIES; OPIOIDS-EC 49475; 49476; H&SC 124235

Pursuant to the athletic programs offered by PUSD (apart from athletic activity during the regular school day or as part of a physical education course), PUSD will provide each student athlete's parent/guardian with a "concussion and head injury" information sheet. The sheet shall be signed and returned by the athlete's parent/guardian before the athlete may participate in practice or competition.

Also, pursuant to the athletic programs offered by PUSD (apart from athletic activity during the regular school day or as part of a physical education course), PUSD shall annually give the Opioid Factsheet for Patients, published by the Centers for Disease Control and Prevention, to each athlete, which is accessible here: [CDC-Opioids](#). The athlete, and if the athlete is 17 years of age or younger, the athlete's parent/guardian shall sign the document acknowledging receipt of the factsheet and return it to the district before the athlete initiates practice or competition.

A youth sports organization must follow specified protocols with respect to concussions and other head injuries. Any amateur sports competitions, trainings, camps, or clubs in which persons 17 years of age or younger participate must follow concussion and other head injury protocols.

If an athlete who is 17 years of age or younger has been removed from athletic activity due to a suspected concussion or due to fainting or another suspected cardiac condition, the youth sports organization shall notify a parent/guardian of that athlete of the time and date of the injury, the symptoms observed, and any treatment provided to that athlete for the injury.

- **Youth Athletics: Concussion Sudden Cardiac Arrest Prevention Protocols-H&SC 124235**

Expands the requirement of a youth sports organization to follow specified protocols with respect to concussions and other head injuries. Any amateur sports competitions, trainings, camps, or clubs in which persons 17 years of age or younger participate must follow concussion and other head injury protocols.

SAFE PLACE TO LEARN ACT-EC 234, 234.1

PUSD has adopted policies pertaining to the following:

- Prohibition of discrimination and harassment based on characteristics set forth in EC § 220 and Penal Code 422.55;
- Process for receiving and investigating complaints of discrimination and harassment;
- Maintenance of documentation of complaints and their resolution;
- Process to ensure complainants are protected from retaliation and the identity of a complainant is kept confidential, if appropriate; and
- Identification of a responsible LEA officer to ensure compliance.

PUSD's anti discrimination and anti-harassment policies are posted in schools and offices and are available online at: [BP-5145-3-Nondiscrimination-Harassment.pdf](#)

PUPIL PROTECTIONS RELATING TO IMMIGRATION AND CITIZENSHIP STATUS-EC 234.7

Except as required by state or federal law or as required to administer a state or federally supported educational program, PUSD shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

Should any request be made for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing immigration laws, PUSD's Superintendent shall report to the governing board any such requests in a timely manner that ensures the confidentiality and privacy of any potentially identifying information.

If PUSD becomes aware that a pupil's parent/guardian is not available to care for the pupil, PUSD staff shall first exhaust any parental/guardian instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. PUSD will not contact Child Welfare Services to arrange for the pupil's care unless it is unable to arrange care through the use of emergency contact information provided by the parents/guardians or other information provided by the parent/guardian.

All children have a right to a free public appropriate education, regardless of immigration status or religious beliefs. Therefore, PUSD has fully adopted model policies published by the Attorney General's Office entitled "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues."

(<https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>).

These policies include, but are not limited to, refraining from collecting national origin information during the school enrollment process, accepting all forms of evidence listed in California Education Code section 48002 for the purpose of verifying student age, and not including citizenship status, immigration status, place of birth, or any other information indicative of national origin as directory information. Please visit the State of California's Attorney General's "Know Your Rights" page for more information at

<https://oag.ca.gov/immigrant/rights>.

AVAILABILITY OF PROSPECTUS-EC 49091.14

Each school site shall create a prospectus which includes the curriculum, including titles, descriptions, and instructional aims of every course offered. The prospectus shall be made available upon request by parent/guardian.

DIRECTORY INFORMATION-EC 49073

“Directory Information” includes one or more of the following items: student’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 student. PUSD has determined that the following individuals, officials, or organizations may receive directory information:

- Certain school publications
- Outside organizations including, but not limited to, companies that manufacture class rings or publish yearbooks
- Military recruiters
- Post-secondary educational institutions
- Outside governmental agencies

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 selects to deny PUSD permission within the digital registration/enrollment packets. However, directory information related to homeless and unaccompanied youth will not be released without the express written consent for its release by the eligible pupil and their parent or guardian.

PUSD may disclose appropriately designated "directory information" as specified herein without written consent unless advised to the contrary in accordance with procedures.

During the annual online continuing registration process, parents/guardians may select within the digital packet to deny permission if they do not want PUSD to disclose directory information from their child's education records without prior written consent.

Also, in accordance with Section 49073.2, the LEA shall not include the directory information or the personal information of a pupil or a parent/guardian of a pupil in the minutes of a meeting of its governing body, except as required by judicial order or federal law, if a pupil who is 18 years of age or older or a parent/guardian of a pupil has provided a written request to the secretary or clerk of the governing body to exclude their personal information or the name of their minor child from the minutes of a meeting of the governing body.

Personal information includes a person's address, telephone number, date of birth, and email address.

SURVEYS-EC 51513, 51514; 20 U.S.C. 1232h

PUSD will notify parents/guardians of the need for their written permission before any test, questionnaire, survey, or examination containing any questions about their child’s personal beliefs or practices (or the pupil’s family’s beliefs or practices) in sex, family life, morality, and religion, may be administered to any pupil in kindergarten, or grades 1-12, inclusive. Notification will include specific or approximate dates of when any survey containing sensitive, personal information is to be administered and provide an opportunity for

parents/guardians to opt pupils out of participating in the survey. Upon request, parents/guardians will be given the opportunity to inspect any third-party survey.

ACCESS BY MILITARY RECRUITERS-20 U.S.C. 7908, ESEA 8528

PUSD provides military recruiters access to secondary school students' names, addresses, and telephone listings upon request by the military recruiters. A pupil or parent/guardian may request that this information not be released to military recruiters without prior written parental/guardian consent.

CALIFORNIA HIGH SCHOOL PROFICIENCY EXAM-5 C.C.R. 11523

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

CAL GRANT PROGRAM-EC 69432.9

All pupils enrolled in grade 12 will be deemed Cal Grant applicants, unless they, or their parent/guardian if the pupil is 17 years or younger, specifically opts out of such notification. PUSD will electronically submit each 12th grade pupil's grade point average by October 1 of the pupil's 12th grade school year. A pupil of 18 years of age or a parent/guardian of a pupil 17 years or younger, may, by written statement, opt out of the Cal Grant program.

PUSD shall, no later than January 1 of a pupil's grade 11 academic year, notify, in writing, each grade 11 pupil and, for a pupil under 18 years of age, the pupil's parent/guardian that, pursuant to subdivision (a), the pupil will be deemed a Cal Grant applicant unless the pupil opts out within a period of time specified in the notice, which shall not be less than 30 days. The required notice shall indicate when the school will first send grade point averages to the commission and the submission deadline of October 1. A pupil of 18 years of age or a parent/guardian of a pupil 17 years or younger, may, by written statement, opt out of the Cal Grant program.

OFF-CAMPUS LUNCH-EC 44808.5

The governing board of the PUSD pursuant to Section 44808.5 of the Education Code, has decided to permit the pupils enrolled within its high schools to leave the school grounds during the lunch period. Section 44808.5 of the Education Code states: "Neither the school district nor any officer or employee thereof 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."

PUPIL FEES-EC 49013

PUSD maintains a policy concerning the provision of a free education to pupils and for filing a complaint of non-compliance pursuant to the Uniform Complaint Procedures with the principal of the school alleged to be in non-compliance. [BP-1312-3-Uniform-Complaint-Procedures.pdf](#) and [AR-1312-3-Uniform-Complaint-Procedures.pdf](#)

RIGHTS OF PARENTS OR GUARDIANS TO INFORMATION-EC 51101

Parents/guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

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

2. A description of the school's responsibility to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all pupils to meet the academic expectations of the school.
3. The manner in which the parents/guardians of pupils may support the learning environment of their children, including, but not limited to, the following:
 - a. Monitoring attendance of their children.
 - b. Ensuring that homework is completed and turned in on a timely basis.
 - c. Participation of the children in extracurricular activities.
 - d. Monitoring and regulating the television viewed by their children.
 - e. Working with their children at home in learning activities that extend learning in the classroom.
 - f. Volunteering in their children's classrooms or for other activities at the school.
 - g. Participating, as appropriate, in decisions relating to the education of their own child or the total school program.

CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS-EC 52052, 60640

The California Assessment of Student Performance and Progress (“CAASPP”) System was established on June 1, 2014. Commencing with the 2014-2015 school year, the CAASPP System includes Smarter Balanced Summative assessments in English Language Arts and Math in grades three through eight and eleven and California Alternate Assessments (“CAA”) in English Language Arts and Math in grades three through eight and eleven for students with significant cognitive disabilities. The California Science Test (“CAST”) for science is required for all students in grades five, eight and once in high school unless the student’s IEP indicates administration of the CAA. PUSD will not administer a standards based test in Spanish for reading/language arts in grades two through eleven for Spanish-speaking English learners who either receive instruction in their primary language or have been enrolled in a school in the United States for less than twelve months. A parent/guardian may make a written request to excuse his or her child from any or all parts of the assessment.

PUPIL COLLECTION OF DEBT-EC 49014

A pupil or former pupil, unless emancipated at the time the debt is incurred, shall not owe or be billed for a debt owed to an LEA.

An LEA cannot take negative action against a pupil or former pupil for a debt owed, including, but not limited to, all of the following:

- Denying full credit for any assignments for a class;
- Denying full and equal participation in classroom activity;
- Denying access to on-campus educational facilities, including, but not limited to, the library;
- Denying or withholding grades or transcripts;
- Denying or withholding a diploma;
- Limiting or barring participation in an extracurricular activity, club, or sport; and
- Limiting or excluding from participation in an educational activity, field trip, or school ceremony.

ELECTRONIC PRODUCTS OR SERVICES THAT DISSEMINATE ADVERTISING-EC 35182.5

If PUSD enters into a contract for electronic products or services that requires the dissemination of advertising to students, the district, among other requirements specified in EC 35182.5(c)(3), must provide written notice to the parents/guardians of the students that the advertising will be used in the classroom or other learning centers.

ACCESS TO STUDENT MENTAL HEALTH SERVICES-EC 49428

DISTRICT shall notify pupils and parents/guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both.

To notify parents/guardians, a school shall use at least two of the following methods:

- Distribute the information in a letter (electronic or hardcopy)
- Include the information in the annual parent notification
- Post the information on the school's Internet Website or page

To notify pupils, a school shall use at least two of the following methods:

- Distribute the information in a document or school publication
- Include the information in pupil orientation materials or in a pupil handbook at the beginning of the year
- Post the information on the school's Internet website or page

If a school decides to notify parents/guardians through distributing the information in a letter and posting the information on the school's Internet Website or page, then it need not also include the information in the annual parent notification.

BULLYING AND HARASSMENT PREVENTION INFORMATION - EC 215

Requires school districts to make readily accessible on the district's website information on bullying and harassment prevention. Commencing with the 2020-21 academic year, each county office of education, school district, and charter school – or LEA (“local education agency”) for the purpose of this section – shall ensure that all of the following information is readily accessible in a prominent location on the local educational agency's existing website in a manner that is easily accessible to parents/guardians and pupils:

1. The LEA's policy on pupil suicide prevention in grades 7 to 12
2. The LEA's policy on pupil suicide prevention in kindergarten and grades 1 to 6, including reference to the age appropriateness of that policy
3. The definition of discrimination and harassment based on sex, and the rights derived from the Sex Equity in Education Act
4. The Title IX information included on a LEA's internet website, which should also include the District's training materials
5. A link to the Title IX information and training materials included on the department's internet website
6. The LEA's written policy on sexual harassment, as it pertains to pupils
7. The LEA's policy, if it exists, on preventing and responding to hate violence
8. The LEA's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies
9. The LEA's anti-cyberbullying procedures
10. A section on social media bullying that includes all of the following references to possible forums for social media bullying:
 - a. Internet websites with free registration and ease of registration
 - b. Internet websites offering peer-to-peer instant messaging
 - c. Internet websites offering comment forums or sections
 - d. Internet websites offering image or video posting platforms
11. A link to statewide resources, including community-based organizations, compiled by the department
12. Any additional information the LEA deems important for preventing bullying and harassment

PUPIL SUICIDE PREVENTION POLICIES-EC 215

The PUSD has adopted a policy on pupil suicide prevention for grades K-6. The age appropriate policy may be found at:

<https://www.powayusd.com/PUSD/media/Board-Images/BoardPolicy/5000/BP-5141-52-Suicide-Prevention.pdf>.

Procedures relating to suicide prevention, intervention, and postvention may be found at:
<https://www.powayusd.com/PUSD/media/Board-Images/BoardPolicy/5000/AR-5141-52-Suicide-Prevention.pdf>

PUPIL ATTENDANCE: SCHOOL START TIMES - EC 46148

Commencing July 1, 2022, the school day for middle and high schools will begin no earlier than 8:00 a.m. and 8:30 a.m., respectively.

PROTECTION AND ADVOCACY AGENCY - W&IC 4900; 4902; 4903

Implements protection and advocacy agency access to investigate and advocate for the rights of persons with developmental and mental health disabilities. Following a complaint or report of alleged abuse and a finding of probable cause, the agency is entitled to investigate and must be provided reasonable access to the facility. This includes the opportunity to interview any individual with a disability, employee, or other person with knowledge of the alleged abuse. The agency is entitled to monitor a facility's, program's, or service providers compliance with the rights and safety of individuals with disabilities. The school district is required to provide the agency with the name and contact information for the parent/guardian of a student and the agency has authority to access, inspect, and copy the student's records.

DRESS CODE/GANG APPAREL-EC 35183

Students are expected to come to school appropriately dressed. Students failing to dress appropriately will be asked to change. PUSD'S dress code is available online at:

<https://www.powayusd.com/PUSD/media/Board-Images/BoardPolicy/5000/AR-5132-Dress-and-Grooming.pdf>

SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN-EC 35183.5

PUSD allows for outdoor use of sun-protective clothing and the use of sunscreen by students during the day.

BILINGUAL EDUCATION-EC 52173

PUSD will notify the parents/guardians of pupils who will be enrolled in a bilingual education program. The notice will contain a simple description of the program, inform the parent/guardian they have the right and are encouraged to visit the class in which their pupil will be enrolled and to have a school conference to explain the purpose of such an education, and that they have the right not to have their pupil enrolled in the program. Notice shall be in English and the primary language of the pupil.

MARKETING: DISCLOSURE OF STUDENT INFORMATION-20 U.S.C. 1232g

PUSD makes student directory information available in accordance with state and federal laws. This means that each student's name, birthday, address, telephone number, major course of study, participation in school activities, dates of attendance, awards, and the previous school attendance may be released to agencies such as the local PTA or Parent Club, or the military services. Parents/guardians have the opportunity in the annual on-line continuing student registration/new student enrollment digital packets, to deny permission if they do not want PUSD to disclose directory information from their child's education records without prior written consent.

ENGLISH IMMERSION PROGRAM-EC 310

In order to facilitate parental choice of program, PUSD will inform any parent/guardian of a pupil who is to be placed in a structured English immersion program and will notify the parent/guardian of an opportunity to apply for a parental exception waiver.

TITLE 1-20 U.S.C. 6311

Parents/guardians may request information regarding the professional qualifications of the student's classroom teachers, including the following:

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

In addition to the information that parents/guardians may request regarding their child's teacher, parents/guardians may also request:

- Information on the level of achievement of the parent's/guardian's child in each of the State academic assessments; and
- Timely notice that the parent's/guardian's child has been assigned to, or has been taught for four (4) or more consecutive weeks by, a teacher who is not highly qualified.

Parents/guardians may obtain this information by logging on to www.ctc.ca.gov/ and looking up the child's teacher's credentials by entering the first and last name.

The law also requires that parents/guardians be notified when a teacher who is not highly qualified is hired and teaches the child four (4) consecutive weeks or more.

TITLE 1: PARENT AND FAMILY ENGAGEMENT POLICY

PUSD has developed a written Title I parent and family engagement policy with input from parents/guardians and family members of participating children. This policy describes the district's plan, how families are involved in the joint development of district and school plans, how parents/guardians are involved in the annual evaluation of the policy, strategies for supporting effective family engagement, and how families at school not receiving Title I funds are also engaged.

The policy is available on the PUSD web page:

<https://powayusd.com/en-US/Departments/Learning-Support/Parent-Family-Engagement> or families may request a copy at any school.

TOBACCO-FREE CAMPUS-HSC 104420, 104495

PUSD receives Tobacco Use Prevention funding to adopt and enforce a tobacco-free campus policy.

Information about the policy and enforcement procedures may be found online at:

<https://www.powayusd.com/PUSD/media/Board-Images/BoardPolicy/5000/BP-5131-62-Tobacco.pdf> and

<https://www.powayusd.com/PUSD/media/Board-Images/BoardPolicy/5000/AR-5131-62-Tobacco.pdf>.

Health and Safety Code section 104495 prohibits smoking and use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground. The prohibition does not apply to a public sidewalk located within 25 feet of a playground.

UNSAFE SCHOOL CHOICE-5 C.C.R. 11993(k); 20 U.S.C. 7912

Students shall be allowed to attend a safe school. PUSD shall notify parents/guardians of pupils in elementary and/or secondary schools considered to be "persistently dangerous" pursuant to California Department of Education guidelines and of available options for attendance at a safe school.

PUPIL RECORDS: SOCIAL MEDIA-EC 49073.6

The District will notify students and parents/guardians if the District chooses to implement data gathering programs that collect personal information from social media and maintain that information in students' records.

TRANSFER OF PUPILS CONVICTED OF VIOLENT FELONY OR MISDEMEANOR-EC 48929, 48980(m)

The governing board of PUSD has adopted a policy allowing the governing board of PUSD to transfer students convicted of violent felonies or misdemeanors to other schools in the district if the pupil to be transferred and the victim of the crime for which the pupil was convicted are enrolled at the same school.

USE OF SMARTPHONES- EC 48901.7

[BP 5131- Mobile Communication Devices](#)

A student cannot be prohibited from possessing or using a smartphone at school in the following situations:

1. During an emergency situation or as a response to a perceived threat of danger;
2. When a teacher or administrator gives permission to a student to possess or use a cell phone, subject to reasonable limitations imposed by the person giving permission;
3. When necessary for the health or well-being of a student, as determined by a licensed physician and surgeon; and
4. When possession or use of the cell phone is required pursuant to a student's individualized education program.

SCHOOL ACCOUNTABILITY REPORT CARD-EC 35256, 35258

The School Accountability Report Card provides parents/guardians and other interested members of the community a variety of information about the school, its resources, its successes, and the areas where it needs improvement. On or before February 1 of each year, an updated copy of the School Accountability Report Card for each PUSD operated school can be found on PUSD's website at <https://powayusd.com/SARC>. A hard copy will also be provided upon request to any student's parent/guardian.

DUTY CONCERNING CONDUCT OF PUPILS-EC 44807

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

Every teacher has a duty to hold pupils accountable for their conduct on the way to and from school, on the playground, or during recess. A teacher, assistant principal, principal, or any other certificated employee of a school district shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree or physical control over a pupil that a parent/guardian would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably

necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

DANGEROUS OBJECTS-PENAL CODE 417.27, 12550, 12556

PUSD prohibits dangerous objects on campus, such as laser pointers and B.B. guns, unless possession is for valid instructional or other school-related purposes.

CHILD ABUSE AND NEGLECT REPORTING-PENAL CODE 11164

PUSD staff is required by law to report cases of child abuse and neglect to the appropriate law enforcement agency when they have a reasonable suspicion that a child has been a victim of child abuse and/or neglect. Reasonable suspicion does not require certainty that the child abuse and/or neglect has occurred. The reporting staff member's name and report are confidential. The fact that a child is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

DISRUPTION IN PUBLIC SCHOOL OR MEETING-EC 32210

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

MEDICAL RECORD SHARING-H&SC 120440

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

MEGAN'S LAW-PENAL CODE-290

Information about registered sex offenders in California and how to protect their families can be found at <http://meganslaw.ca.gov/>.

LIABILITY OF PARENT OR GUARDIAN FOR WILLFUL PUPIL MISCONDUCT-EC 48904

The parent/guardian of any minor may be held financially liable for the pupil's willful misconduct which results in injury or death to any pupil or person employed or volunteering for PUSD or injury to real or personal property belonging to PUSD or a PUSD employee. The parent/guardian of a minor shall be liable to PUSD for all property belonging to PUSD loaned to the minor and not returned upon demand of an employee of PUSD authorized to make the demand. PUSD shall notify the parent/guardian in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma, or transcript pursuant to this Section.

CHILDREN IN HOMELESS SITUATIONS-42 U.S.C. 11432

PUSD has appointed a liaison(s) for homeless children responsible for ensuring the dissemination of public notice of the educational rights of students in homeless situations.

- Liaison contact information: Mercedes, Hubschmitt, 858-521-2734 or via email mhubschmitt@powayusd.com
- Circumstances for eligibility include: In a shelter, motel, vehicle, or campground, in a hotel/motel not paid for by any type of insurance, on the street, in an abandoned building, trailer, campsite, or other inadequate accommodations, doubled-up with friends or relatives because affordable housing cannot be found—and that doubled-up situation puts the family or student's sleeping in some type of temporary situation/location.

- Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, schools records, or legal guardianship papers;
- Right to education and other services including to participate fully in all school activities and programs for which child is eligible, to qualify automatically for school meal programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment;
- That no homeless youth shall be required to attend a separate school for homeless children or youth; and,
- That homeless youth shall not be stigmatized by school personnel.

More information can be found online at:

<https://www.powayusd.com/Departments/Learning-Support/YOUTH-IN-TRANSITION>

HOMELESS YOUTH IN AFTERSCHOOL PROGRAMS-EC 8483.1

PUSD currently operates an afterschool program pursuant to the After School Education and Safety Program Act of 2002. PUSD provides priority enrollment to students as follows. First priority shall go to pupils who are identified by the program as homeless youth, as defined by the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Section 11434a) at the time that they apply for enrollment or at any time during the school year, and to pupils who are identified by the program as being in foster care. PUSD does not require pupils applying for or participating in the program to verify they are homeless or foster youth. Eligible students may receive priority through self-certification or through the PUSD liaison for homeless children if PUSD maintains a waiver on file allowing for the release of this information.

ACCEPTABLE USE OF TECHNOLOGY

DISTRICT policy on the acceptable use of technology on school campuses and access by pupils to the Internet and online sites is available at: [PUSD Board Policy 6163.4](#) Student Use of Technology and [Administrative Regulation 6163.4](#) Student Acceptable Use Agreement.

CUSTODY ISSUES

Schools are not a forum to settle custody disputes and the school has no legal jurisdiction to refuse a biological parent access to their child and the child's school records unless a signed restraining order or proper divorce papers specifically setting forth limitations are on file at the school office. Custody disputes must be handled by the courts.

SCHOOL VISITING PROCEDURES-EC 51101(a)(12)

DISTRICT policy concerning visiting procedures may be found online at:

<https://www.powayusd.com/PUSD/media/Board-Images/BoardPolicy/1000/BP-1250.pdf>. Penal Code section 627.6 requires schools to post at every entrance a notice of visitor registration requirements, registration hours, registration location, and penalties for the violation of the registration requirements.

SEARCH OF SCHOOL LOCKERS

PUSD'S policies and procedures related to the search of school lockers may be found online at:

<https://www.powayusd.com/PUSD/media/Board-Images/BoardPolicy/5000/BP-5145-12-Search-and-Seizure.pdf>

WALKING OR RIDING A BIKE TO SCHOOL-VC 21212

PUSD requests that parents/guardians of children who walk or ride their bike to school plan a safe route to school with their children. The route shall not involve shortcuts through private property and all students are expected to exhibit good behavior. Furthermore, a student under 18 years of age may be fined for not wearing

a properly fitted and fastened helmet, and the parent/legal guardian of a minor who violates this section shall be jointly and severally liable with the minor for the fine.

CYBER SEXUAL BULLYING-EC 234.2

PUSD may suspend or expel students who engage in cyber sexual bullying consistent with PUSD's disciplinary procedures described above, available at the Healthy Kids Resource Center Website and other sources. The California Department of Education has developed information regarding cyber sexual bullying available at <https://www.cde.ca.gov/ls/ss/se/bullyfaq.asp>.

LOCAL SCHOOL WELLNESS POLICY-EC 49432

The local school wellness policy for PUSD is available at:

<https://www.powayusd.com/PUSD/media/Board-Images/BoardPolicy/5000/BP-5030-1-School-Wellness.pdf>.

ILLEGAL RECORDING OF CONFIDENTIAL COMMUNICATION-PC 632, EC 51512

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