PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES (Ed. Code § 48980)

The State of California requires that parents be notified of their rights and responsibilities in certain matters pertaining to their children's education. This Notice informs you of your rights and responsibilities under the applicable sections of the Education Code.

1. **Absence for Religious Exercises and Instruction:** Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. (Ed. Code § 46014)

2. **Comprehensive Sexual Health Education and HIV/AIDS Prevention Education:** You may request in writing that your child not receive comprehensive sexual health education or HIV/AIDS prevention education. Parents may inspect the written and audio visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. You have a right to request that the District provide you with a copy of Education Code section 51938, the State law on this subject.

3. **You will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by district personnel or by outside consultants.** If outside consultants are used, the name of the organization of each guest speaker will be identified. You have a right to request that the District provide you with a copy of Education Code sections 51933 and 51934, the State law on this subject.

4. **Administration of Medication:** Medication prescribed by a physician for a child may be administered during the school day by a nurse or other designated school personnel, or self-administered by the child if prescription auto-injectable epinephrine, but only under detailed written instruction and written request of the parent. (Ed. Code §§ 49403, 49480, 49423) Forms for administering medication may be obtained from the school secretary.

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

6. **Immunizations:** Immunization for communicable disease may be consented to in writing by a parent, for a licensed physician and surgeon, or nurse acting under the direction of such, to administer. (Ed. Code § 49403)

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

8. **Confidential Medical Services:** For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without the consent of the student's parent or guardian. (Ed. Code § 46010.1)

9. **Accident-Medical Coverage:** Medical and hospital services for pupils injured at school or school-sponsored events, or while being transported, may be insured at parent's expense. (Ed. Code § 49472)

10. **Medical and Hospital Services Not Provided:** The district does not provide medical and hospital services for students injured while participating in athletic activities. (Ed. Code § 49471)

11. **Disabled Students:** State and federal law requires that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Disabled students for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. §104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone: Janet Skulina, Ed.D, 1875 W. Lowell Avenue, Tracy, CA. 830-3270.

12. **No Academic Penalty for Excused Absence:** No pupil may have his or her grade reduced or lose academic credit for any absence or absences which are excused for the legal reasons when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code § 48980(k)) A pupil absent from school under this section shall be allowed to

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complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. As 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. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

13. Equal Opportunity: Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone: Paul Hall, 1875 W. Lowell Avenue, Tracy, CA 95376. 830-3280

14. Complaints (Special Education): Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. To file a complaint, write a description of the manner in which you believe special education programs for handicapped do not comply with state or federal law or regulations and file with the District official listed below at the following address and telephone: Janet Skulina, Ed.D, 1875 W. Lowell Avenue, Tracy, CA. 830-3270.

15. Release of Student Information: The District does not release information or records concerning a child to noneducational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. The following categories of directory information may be made available to various persons, agencies or institutions unless the parent or guardian notifies the District in writing not to release such information: Name, address, telephone, date and place of birth, major field of study, class schedule, class roster, photographs, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and most recent previous educational institution attended.

16. Inspection of Student Records: State law requires that the District notify you of the following rights which pertain to student records. (Ed. Code § 49063) A parent or guardian has the right to inspect and review student records relating directly to their child during school hours or obtain a copy of such records within five (5) days of his/her request. (Ed. Code § 49069) Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records. A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age. Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others. Parents and guardians will be charged twenty-five (25) cents per page for the reproduction of student records. Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232(g)) Parents may obtain a copy of the District's complete student records policy by contacting the Director of Student Services.

17. Family Education Rights Privacy Act: In addition, you have certain rights regarding student information and records which are guaranteed under federal law.

18. Dissection of Animals: If a student has a moral objection to dissecting or otherwise (harming or destroying animals), or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil's parent or guardian. If the pupil chooses to refrain from participating in such a project, and if the teacher believes that an adequate alternative education project is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. (Ed. Code §§ 32255-32255.6)

19. Temporary Disability: A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence, shall be deemed to comply with the residency requirements of the school district in which the hospital is located. (Ed. Code §§ 48206.3, 48207, 48208)

20. Student Residency: A student may be enrolled in a district where one or both of the student's parents or legal guardian works rather than in the district in which the student resides. In addition, a student shall be deemed to be a District resident if: (1) the student is placed in a regularly established children's institution, licensed foster home, or family home; (2) an emancipated student who lives within the District; (3) a student who lives in the home of an adult who has submitted a caregiver affidavit; or (4) a student who resides in a state hospital in the District. (Ed. Code § 48204)
21. **Notice of Alternative Schools:** California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school. Students and/or parents interested in further information should contact the counseling office at their local high school. (Ed. Code § 58501)

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

23. **Leaving School Grounds:** The Governing Board of the Tracy Unified School District, pursuant to Section 44808.5 of the Education Code, has decided to permit the pupils enrolled at Tracy High School and West High School to leave the school grounds during the lunch period. Section 44808.5 of the Education Code further states: "Neither the school district nor any officer or employee thereof shall be liable for the conduct nor safety of any pupil during such time as the pupil has left the school grounds." (Ed. Code § 44808.5)

24. **Review of Curriculum:** A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for your review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code §49091.14)

25. **High School Exit Examination:** Commencing with the 2005-2006 school year, and each school year thereafter, each pupil completing 12th grade will be required as a condition of graduation to successfully pass the high school exit examination mandated by State law. Pupils may take the exit examination prior to reaching the 12th grade. In order to pass the exit examination a pupil will be required to demonstrate mastery of statewide academically rigorous content standards in language arts and mathematics. A pupil who fails to pass all parts of the examination by the completion of 12th grade shall not receive a diploma. (Ed. Code §§48980(e) and 60850)

26. **Child Find System; Policies and Procedures:** Any parent suspecting that a child has exceptional needs (handicapped) may request an assessment for eligibility for special education services through the school principal. Policy and procedures shall include written notification to all parents of their rights pursuant to EC §56300. (Ed. Code § 56301; 34 CFR § 104.32(b))

27. **School Accountability Report:** Parents/guardians may request a School Accountability Report Card which is issued annually for each school of the District. (Ed. Code § 35256)

28. **Asbestos Management Plan:** An updated management plan for asbestos-containing material in school buildings is available at the District Office. (40 C.F.R. § 763.93)

29. **No Child Left Behind Act of 2001:** Under the NCLB, parents have the following rights: Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides; Information Regarding Individual Student Reports on Statewide Assessments: notification to parents of limited English Proficient students; information on program improvement schools. The information provided above is available upon request from your child’s school or the district office. Additional notices that may be required under the No Child Left Behind Act shall be sent separately. (20 USC §§6301 and following)

30. **Children In Homeless Situations:** Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (42 USC § 11432(g)(1)(J)(ii), (g)(6))

31. **Sex Equity In Career Planning:** Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions. (Ed. Code §221.5(d))

32. **State funds are available to cover the costs of advance placement examination fees** pursuant to Ed. Code § 52244.

33. **Pupil-Free Staff Development Day and Minimum Day Schedule:** A copy of the District’s pupil free staff development day and minimum day schedules is available on your school web site and a hard copy can be requested. A pupil’s parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (Ed. Code, §48980(c))

34. **Military Recruiter Information:** The No Child Left Behind Act of 2001 and Education Code section 49073.5 require that school districts disclose the names, addresses and telephone numbers of high school students to military recruiters upon request, unless parents request that this information not be released without prior written consent. Parents have the option of making such a request. If parents do not wish this information to be provided to military recruiters, they must notify the District office of this fact in writing. The writing should be directed to the District official listed below at the following address: Sam Strube, Director of Student Services, sstrube@tusd.net.
35. **Attendance Options:** All districts must inform parents at the beginning of the school year how to enroll in a school within the district that is different than the one assigned. Students who attend schools other than those assigned by the district are referred to as “transfer students” throughout this notification. There is one process for choosing a school within the district, which the parent lives (intra-district transfer), and three separate processes for selecting schools in other districts (inter-district transfer). (Ed. Code, § 48980(h)) There is also a process under the Open Enrollment Act for students enrolled in “low-achieving schools,” as identified annually by the State Superintendent of Public Instruction. (Ed. Code, § 48350 et seq.) Attached is a copy of the District’s Policy of Inter-district and Intra-district Transfers.

The general requirements and limitations of each process are described as follows:

a. Choosing a School within the District in Which Parent Lives: Education Code, section 35160.5(b) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows:
   - Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school’s attendance area.
   - Each district must decide the number of openings at each school, which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
   - If a transfer is denied, a parent does not have an automatic right to appeal the decision.

A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

b. Choosing a School Outside District in Which Parent Lives: Parents have three different options for choosing a school outside the district in which they live. The three options are:
   - **Districts of Choice** (Ed. Code, §§ 48300 - 48315): The law allows, but does not require, each school district to become a “district of choice” – that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. The school board of a district that decides to become a “district of choice” must determine the number of students it is willing to accept in any other personal characteristic. If the number of transfer applications exceeds the number of students the school board is willing to accept, transfer approval must be determined by a random public drawing held at a regular board meeting. If the district chooses not to become a “district of choice,” a parent may not request a transfer under these provisions. Other provisions of the “district of choice” option include:
     - Either the district to or from which a student would transfer may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
   - **No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.**
   - Siblings of students already attending school in the “district of choice” must be given transfer priority.
   - A parent may request transportation assistance within the boundaries of the “district of choice.” The district is required to provide transportation only to the extent it already does so.
   - **Other Inter-district Transfers** (Ed. Code, §§ 46600 - 46611): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be permitted. The law on inter-district transfers also provides for the following:
     - Once a pupil is enrolled in a school pursuant to an Inter-district transfer agreement, the pupil must be allowed to continue to attend the school in which he or she is enrolled without reapplying, unless revocation of the Inter-district transfer is a term and condition of the agreement between the districts; however, a district must not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.
     - If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision. iii. **“Allen Bill” Transfers** (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which his/her parents (or legal guardian(s)) physically work if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions of Education Code section 48204(b) include:
     - Either the district in which the parent (or legal guardian) lives or the district in which the parent (or legal guardian) physically works may prohibit the student’s transfer if it is determined that there would be a negative impact on the district’s desegregation plan.
     - The district in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student.
     - There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.

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There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent the specific reasons for denying the transfer.

c. Applying to Attend a School in a School District of Enrollment: The Open Enrollment Act allows the parent of a pupil enrolled in a “low-achieving school” to submit an application for the pupil to transfer to another public school served by the school district of residence or another school district. (Ed. Code, § 48350) The parent must submit an application requesting a transfer to the school district in which the parent does not reside, but it which the parent intends to enroll the pupil. With some exceptions, the application must be submitted prior to January 1 of the school year before the school year for which the pupil is requesting a transfer. Both the school district from and to which the parent has applied to transfer may prohibit or limit pupil transfers in accordance with the Open Enrollment Act. Additionally, the school district in which the parent does not reside, but in which the parent intends to enroll the pupil may adopt specific, written standards for acceptance and rejection of applications pursuant to the open Enrollment Act. (Ed. Code, § 48356)

36. **College Admission Requirements and Higher Education Information**

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

"A-G"

Courses Subject CSU/UC Requirements

- **A. History/Social Science** 2 years required
- **B. English** 4 years required
- **C. Mathematics** 3 years required (e.g., Algebra, Geometry and Calculus), 4 years recommended
- **D. Laboratory Science** 2 years required (e.g., Biology, Chemistry and Physics), 3 years recommended
- **E. Language Other Than English** 2 years required, 3 years recommended
- **F. Visual and Performing Arts (VPA)** 1 year required
- **G. College-Preparatory Elective** 1 year required

To learn more about college admission requirements, and for a list of District courses that have been certified by the University of California as satisfying the requirements for admission to the UC and CSU, please refer to: [https://doorways.ucop.edu/list](https://doorways.ucop.edu/list)

37. **Career Technical Education (CTE):**

CTE is offered by the District as career and workforce preparation for high school students, preparation for advanced training, and the upgrading of existing skills. CTE provides high school students 16 years of age and older with valuable career and technical education so students can (1) enter the workforce with skills and competencies to be successful; (2) pursue advanced training in postsecondary educational institutions; or (3) upgrade existing skills and knowledge. To learn more about the District’s career technical education classes, please visit the District’s website at: [www.tusd.net](http://www.tusd.net). Students are encouraged to meet with school counselors to help them choose courses at their school that will meet college admission requirements or enroll in career technical education courses, or both.

38. **Parent’s right to electronically record:** parents have the right to electronically record the proceedings of individualized education program meetings as specified in Section 56341. (Ed. Code 56321.5)

39. **PARENT LETTER NOTIFICATION EXAMPLE-BILLING SPECIAL ED ONLY OR FOLLOWING DAB DECISION NOTICE TO PARENTS/GUARDIANS: CALIFORNIA LOCAL EDUCATIONAL AGENCY PROGRAM**

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

School health services currently provided to all students will not be changed by this program. Students will be denied services they require to attend school, and parents will never be billed for services by the school district.