

ANNUAL NOTICE TO PARENTS/GUARDIANS

2022-2023

DEAR PARENT/GUARDIAN:

California Education Code section 48980 requires that, at the beginning of the first semester or quarter of the regular school term, the governing board of each school district must notify parents/guardians of a minor of their rights or responsibilities under certain provisions of the Education Code. Other provisions of California and United States law also require notification of parents/guardians.

Education Code section 48982 requires that acknowledgment of this notice be signed by the parent/guardian and returned to your child's school. You will be mailed a form and your signature is an acknowledgment that you have received the notice and have been informed of your rights, but the signature does not indicate that consent to participate in any particular program has been either given or withheld.

Please sign and return the acknowledgement form that you receive in the mail. Please return it to your child's school.

California and federal law require certain other notices in the event that specific circumstances should arise, affecting your child's education and attendance at school. If any such circumstances should arise, the District will provide notice as required by law.

KEY TO LEGAL REFERENCES

Abbreviation

Complete Title

B&PC	Business and Professions Code
CCR	California Code of Regulations
CFR	Code of Federal Regulations
EC	Education Code
ESSA	Every Student Succeeds Act
FERPA	Family Educational Rights and Privacy Act
H&SC	Health & Safety Code
IDEA	Individuals with Disabilities Education Act
PC	Penal Code
§ 504	Section 504 of the Rehabilitation Act of 1973

USC
W&IC

United States Code
Welfare and Institutions Code

PUPIL DISCIPLINE

<u>Item</u>
<p><u>RULES PERTAINING TO PUPIL DISCIPLINE</u> (EC §§35291, 48980): The District Governing Board has prescribed rules for the government and discipline of the schools under the Board's jurisdiction. Rules pertaining to pupil discipline are available in the student discipline handbook on the District webpage.</p>
<p><u>DUTY CONCERNING CONDUCT OF PUPILS</u> (EC §44807): Every District teacher has a responsibility to hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess.</p>
<p><u>DUTIES OF PUPILS</u> (EC §48908, 5 CCR §300): Every pupil must attend punctually and regularly, conform to the regulations of the school, obey promptly all the directions of his/her teacher and others in authority, observe good order and propriety of deportment, be diligent in study, be respectful to his/her teacher and others in authority, be kind and courteous to schoolmates, and refrain entirely from the use of profane and vulgar language.</p>
<p><u>DRESS CODE</u> (EC §§35183, 35183.5, 51101): The District Governing Board has approved a dress code policy adopted by your child's school. A copy of the dress code is available at the Principal's office.</p>
<p><u>ATTENDANCE OF SUSPENDED CHILD'S PARENT/GUARDIAN</u> (EC §48900.1, LC §230.7): The District Governing Board has adopted a policy authorizing teachers to require the parent/guardian of a pupil who has been suspended by a teacher, to attend a portion of a school day in the child's classroom. No employer may dismiss or in any manner discriminate against an employee for taking time off from work to comply with this requirement.</p>

CIVILITY POLICY (EC §44050): A written copy of the district’s section on employee interactions with pupils in its code of conduct is available on the District website (capousd.org), Board Policy 1313

PUPIL RECORDS

RIGHTS OF PARENTS/GUARDIANS (EC §49063 *et seq.*):

<u>Item</u>
<p><u>Types of Pupil Records</u>: A pupil record is any item of information directly related to an identifiable pupil, other than directory information, which is maintained by the District or required to be maintained by a District employee in the performance of his/her duties, whether recorded by handwriting, print, tapes, film, microfilm or other means. Pupil records include a pupil’s health record.</p>
<p><u>Responsible Officials</u>. Your child’s Principal is responsible for the maintenance of pupil records located at your child’s school. For pupil records maintained at the District office, the responsible official is Jessica Neth, District Records Administrator.</p>
<p><u>Location of Log/Record</u>: The law requires that a log or record be maintained for each pupil’s record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate interests therefore. For records maintained at your child’s school, the log is in your child’s file located in the Principal’s office. For records maintained at the District office, the log is located in the District Records office.</p>
<p><u>School Officials and Employees/Legitimate Educational Interests</u>: School officials and employees who are authorized to review pupil records are school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, certificated employee, or support staff member (including, but not limited to, paraeducator, health or medical staff and school law enforcement personnel); a person serving on the school board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant,</p>

educational consultant or therapist); a vendor, contractor, or other party to whom the District has outsourced institutional services or functions; an agency caseworker of a state or local child welfare agency that has legal responsibility for the care and protection of a pupil, other public agencies providing services to pupils, as well as employees of other public schools or school systems where educational programs leading to high school graduation are provided or where a District pupil intends to or is directed to enroll; a minor's counsel of record. Access to pupil records is permitted only for records that are relevant to the legitimate educational interests of the requester. Upon request, the District discloses educational records without consent to officials of another school district in which the pupil seeks or intends to enroll. Legitimate educational interests are described in California Education Code section 49076 and in District Board Policy 5022.

Right of Access and Review/Expungement: You have an absolute right to access to any and all pupil records related to your child, which are maintained by the District. A homeless child or youth or an unaccompanied youth who is 14 years of age or older may access his/her pupil records. If you wish to review records located at your child's school, please contact the Principal's office, or submit a written request that identifies the record(s) you wish to inspect. If you wish to review records located at the District office, please contact Jessica Neth, District Records Administrator. The Principal or District office has five (5) business days from the day of the receipt of a request to provide access to the records. Upon satisfactory completion of the rehabilitation assignment of a pupil whose expulsion has been suspended by the District Governing Board, the Board may order the expungement of any or all records of the expulsion proceedings. If the Orange County Board of Education enters an order reversing the decision of the District Governing Board to expel a pupil, the County Board may direct the District Governing Board to expunge the record of the pupil and records of the District of any references to the expulsion action. When you submit a written revocation of consent after the initial provision of special education and related services for your child, the District is not required to amend the education records of your child to remove any reference to your child's receipt of special education and services.

Challenging the Content of Records: You have the right to challenge the content of any pupil record by filing a written request with the District Superintendent to correct or remove any information recorded in the written records concerning your child which you allege to be any of the following: (1) inaccurate, (2) an unsubstantiated personal conclusion or inference,

(3) a conclusion or inference outside the observer's area of competence, (4) not based on the personal observation of a named person with the time and place of the observation noted, (5) misleading, or (6) in violation of the privacy or other rights of the pupil.

Copying Costs: You may receive copies of your child's pupil records, at a cost of \$0.15 per page and up to \$5.00 per transcript.

Transfer of Records: The District is required to transfer a copy of your child's permanent pupil records within 10 schooldays to the school your child intends to enroll.

Complaints: You have the right to file a complaint with the United States Department of Education, concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (20 USC §1232g).

Prospectus of School Curriculum: The curriculum for your child's school is compiled at least once annually in a prospectus which is available at the Principal's office.

Statement or Response to Disciplinary Actions: Whenever information is included in a pupil record concerning any disciplinary action taken in connection with your child, you have the right to include a written statement or response concerning the disciplinary action in your child's pupil record.

Destruction of Pupil Records: The Governing Board of the District is required to retain indefinitely the original or an exact copy of mandatory permanent pupil records (Class 1 - Permanent Records) which schools have been directed to compile by California regulations; maintain for stipulated periods of time mandatory interim pupil records (Class 2 - Optional Records) until the information is no longer needed to provide educational services to a child and are retained until reclassified as Class 3 – Disposable Records, and then destroyed as per California regulations (5 CCR 432). Prior to destroying pupil records of a child who has received special education services, the IDEA requires parental notification when the District decides that personally identifiable information is no longer needed to provide educational services to a child. Once parents/guardians have been notified that personally identifiable information is no longer needed, they have the option of requesting access to and/or copies of pupil records prior to destruction, and to request that pupil records be destroyed, unless the District determines that the information could be needed to provide educational services in

the future or is needed for auditing purposes (34 CFR 300.624, 5 CCR 16026). Unless classified as permanent records, all other pupil records are destroyed five years after the information is no longer needed to provide educational services (5 CCR 16027).

[SOCIAL MEDIA INFORMATION](#) (EC §49073.6): The District Governing Board has approved a program to gather and maintain information from the social media of any District student in the course of investigating student misconduct or as it pertains directly to school safety or to pupil safety.

RELEASE OF DIRECTORY INFORMATION (EC §49073): The District has designated the following items as “Directory Information”: pupil’s name, address, telephone number, e-mail 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 previous public or private school attended by the pupil; not pictures. The District has determined that the following individuals, officials, or organizations may receive directory information: Google, Microsoft, Aeries, School Messenger, Jostens, CalPASS, CCGI (California College Guidance Initiative), Curriculum Providers (Houghton Mifflin, Pearson, FOSS, StemSCOPES, Amplify), Clever, Destiny, MealsPlus, and other vendors chosen by the district to satisfy standards, enhance curriculum, supplement instruction, or provide any service in support of students. Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks; a playbill, showing your pupil’s role in a drama production; Honor roll or other recognition lists; graduation programs and sports activity sheets. However, 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. The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided to a private school or college. No directory information regarding your child may be released if you notify the District that the information shall not be released. Please submit a written notice to the Principal of your child’s school if you wish to deny access to directory information concerning your child. Release of directory information of a homeless child or youth is prohibited unless a parent or eligible pupil has given written consent that such information may be released. Directory information does not include citizenship status,

immigration status, place of birth, or any other information indicating national origin (except where the Capistrano Unified School District receives consent as required under state law). The deadline in which the parent, guardian, or student must notify the school in writing that they do not want the information designated as directory information is anytime throughout the year, as the Student Information System portal can be updated as necessary.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (“FERPA” 20 USC §1232g): United States law set forth in FERPA grants parents certain rights with respect to their student’s records. Please refer to Attachment #1 for Model FERPA Notice.

RELEASE OF INFORMATION TO MILITARY RECRUITERS (20 USC §7908): United States law requires school districts to provide, on a request made by military recruiters or an institution of higher education, access to secondary school students’ names, addresses and telephone listings. However, you have the right to request that your child’s name, address, and telephone listing shall not be released without your prior written consent. To deny military personnel from receiving your child's directory information, please access Authorizations in your Aeries Parent Portal account and change the authorization from granted to deny permission.

HEALTH AND SAFETY

<u>Item</u>

<p><u>HEALTH SCREENING AND EVALUATION SERVICES</u> (H&SC §124085): Within 90 days after your child’s entrance into first grade, you must provide a certificate documenting that within the prior 18 months your child has received appropriate health screening and evaluation services, including a physical examination. These services are available from the Orange County Public Health Department. In lieu of the certificate, you may submit a signed waiver indicating that you do not want or are unable to obtain the health screening and evaluation services for your child. If the waiver indicates that you were unable to obtain the services, then the reasons why should be included in the waiver.</p>
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REFUSAL TO CONSENT TO PHYSICAL EXAMINATION (EC §§49451, 48980): You may file an annual written statement with the Principal of your child's school, stating that you will not consent to a physical examination of your child. However, whenever there is good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist.

PUPIL SUICIDE PREVENTION HOTLINE (EC §§215.5, 48980): The telephone number to reach the National Suicide Prevention Lifeline (1-800-273-8255) is printed on the back of student identification cards.

PUPIL MENTAL HEALTH SERVICES (EC §§49428, 48980): Information on how to initiate access to available mental health services on campus or in the community, or both, is available on the school's website and the student handbook.

CONTINUED MEDICATION REGIMEN FOR NON-EPISODIC CONDITION (EC §49480): If your child is on a continuing medication regimen for a non-episodic condition, you are required to inform the school nurse or other designated certificated school employee of: (1) the medication being taken, (2) the current dosage, and (3) the name of the supervising physician. With your consent, the school nurse may communicate with your child's physician and may counsel with school personnel regarding the possible effects of the drug on your child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. If your child is on a continuing medication regimen, please complete the form at the end of this notice.

ADMINISTRATION OF IMMUNIZING AGENTS (EC §§49403, 48980):

CLICKING YES ONLY ACKNOWLEDGES NOTIFICATION OF THIS EDUCATION CODE AND DOES NOT PROVIDE OR IMPLY CONSENT FOR ADMINISTRATION OF ANY IMMUNIZING AGENTS.

Education Code 49403.

(a) Notwithstanding any other law, the governing board of a school district shall cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases in school age children. For that purpose, the board may use any funds, property, and personnel of the district, and may permit a licensed physician and surgeon, or a health care practitioner listed in subdivision (b) who is acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to a pupil whose parent or guardian has consented in writing to the administration of the immunizing agent.

(b) (1) The following health care practitioners, acting under the direction of a supervising physician and surgeon, may administer an immunizing agent within the course of a school immunization program:

(A) A physician assistant.

(B) A nurse practitioner.

(C) A registered nurse.

(D) A licensed vocational nurse.

(E) A nursing student who is acting under the supervision of a registered nurse, in accordance with applicable provisions of law.

(2) A health care practitioner's authority to administer an immunizing agent pursuant to this subdivision is subject to the following conditions:

(A) The administration of an immunizing agent is upon the standing orders of a supervising physician and surgeon and in accordance with any written regulations that the State Department of Public Health may adopt.

(B) The school nurse is notified and he or she maintains control, as necessary, as supervisor of health in accordance with Sections 44871, 44877, 49422, and subdivision (a) of Section 49426.

(C) The health care practitioner may only administer immunizations for the prevention and control of any of the following:

(i) Annual seasonal influenza.

(ii) Influenza pandemic episodes.

(iii) Other diseases that represent a current or potential outbreak as declared by a federal, state, or local public health officer.

(c) As used in this section, “supervising physician and surgeon” means the physician and surgeon of the local health department or school district that is directing the school immunization program.

(d) While nothing in this section shall be construed to require the physical presence of the supervising physician and surgeon, the supervising physician and surgeon shall require a health care practitioner under his or her direction to do both of the following:

(1) Satisfactorily demonstrate competence in the administration of the immunizing agent, including knowledge of all indications and contraindications for the administration of the agent, and the recognition and treatment of emergency reactions to the agent that constitute a danger to the health or life of the person receiving the immunization.

(2) Possess the medications and equipment that are required, in the medical judgment of the supervising physician and surgeon, to treat any emergency conditions and reactions caused by the immunizing agents that constitute a danger to the health or life of the person receiving the immunization, and to demonstrate the ability to administer the medications and use the equipment as necessary.

(e) It is the intent of the Legislature to encourage school-based immunization programs, when feasible, to use the California Immunization Registry to assist providers to track patient records, reduce missed opportunities, and to help fully immunize all children in California.

(Amended by Stats. 2010, Ch. 203, Sec. 1. (AB 1937) Effective August 27, 2010.)

Education Code 48980.

(a) At the beginning of the first semester or quarter of the regular school term, the governing board of each school district shall notify the parent or guardian of a minor pupil regarding the right or responsibility of the parent or guardian under Sections 35291, 46014, 46015, 48205, 48207, 48208, 49403, 49423, 49451, 49472, and 51938 and Chapter 2.3 (commencing with Section 32255) of Part 19 of Division 1 of Title 1.

(b) The notification also shall advise the parent or guardian of the availability of individualized instruction as prescribed by Section 48206.3, and of the program prescribed by Article 9 (commencing with Section 49510) of Chapter 9.

(c) The notification also shall advise the parents and guardians of all pupils attending a school within the school district of the schedule of minimum days and pupil-free staff development days, and if minimum or pupil-free staff development days are scheduled thereafter, the governing board of the school district shall notify parents and guardians of the affected pupils as early as possible, but not later than one month before the scheduled minimum or pupil-free day.

(d) The notification also may advise the parent or guardian of the importance of investing for future college or university education for their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.

(e) Each school district that elects to provide a fingerprinting program pursuant to Article 10 (commencing with Section 32390) of Chapter 3 of Part 19 of Division 1 of Title 1 shall inform parents or guardians of the program as specified in Section 32390.

(f) The notification also shall include a copy of the written policy of the school district on sexual harassment established pursuant to Section 231.5, as it relates to pupils.

(g) The notification shall advise the parent or guardian of all existing statutory attendance options and local attendance options available in the school district. This notification component shall include all options for meeting residency requirements for school attendance, programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. This notification component also shall include a description of all options, a description of the procedure for application for alternative attendance areas or programs, an application form from the school district for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. The

notification component also shall include an explanation of the existing statutory attendance options, including, but not limited to, those available under Section 35160.5, Chapter 5 (commencing with Section 46600) of Part 26, and subdivision (b) of Section 48204. The department shall produce this portion of the notification and shall distribute it to all school districts.

(h) It is the intent of the Legislature that the governing board of each school district annually review the enrollment options available to the pupils within its school district and that the school districts strive to make available enrollment options that meet the diverse needs, potential, and interests of the pupils of California.

(i) The notification shall advise the parent or guardian that a pupil shall not have his or her grade reduced or lose academic credit for any absence or absences excused pursuant to Section 48205 if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time, and shall include the full text of Section 48205.

(j) The notification shall advise the parent or guardian of the availability of state funds to cover the costs of advanced placement examination fees pursuant to Section 52242.

(k) The notification to the parent or guardian of a minor pupil enrolled in any of grades 9 to 12, inclusive, also shall include the information required pursuant to Section 51229.

(l) If a school district elects to allow a career technical education course to satisfy the requirement imposed by subparagraph (E) of paragraph (1) of subdivision (a) of Section 51225.3, the school district shall include, in the notification required pursuant to this section, both of the following:

(1) Information about the high school graduation requirements of the school district 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.

(2) A complete list of career technical education courses offered by the school district that satisfy the subject matter requirements for admission to the California State University and the University of California, and which of the specific college admission requirements these courses satisfy.

(m) A school district that elects to adopt a policy regarding the transfer of pupils pursuant to Article 1.5 (commencing with Section 48929) shall inform parents or guardians of the policy in the notification required pursuant to this section.

(Amended by Stats. 2018, Ch. 942, Sec. 6. (AB 2289) Effective January 1, 2019.)

ADMINISTRATION OF PRESCRIBED MEDICATION (EC §§49423, 49423.1, 48980): If your child is required to take prescription medication during the regular school day, you may request assistance for your child by the school nurse or other designated school personnel. If you wish such assistance, you must provide both a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and your own written statement indicating your desire that the District assist your child in the matters set forth in the physician's statement. Your child may also carry and self-administer prescription auto-injectable epinephrine or asthma medication if the District receives written statements from you and the child's physician, in the form required by law.

PLEDGE NOT TO USE ANABOLIC STEROIDS OR PROHIBITED DIETARY SUPPLEMENTS (EC §49030 et seq.): A pupil is prohibited from participating in interscholastic high school sports, unless the pupil signs a pledge not to use anabolic steroids without a prescription from a licensed healthcare practitioner, or a dietary supplement listed in the United States Guide to Prohibited Substances and Prohibited Methods of Doping. As a condition of participation, both the pupil-athlete and his/her parent/guardian must sign a notification form regarding these restrictions.

MEDICAL AND HOSPITAL SERVICES NOT PROVIDED (EC §§49471, 48980): The District Governing Board does not provide or make available medical and hospital services for District pupils who are injured while participating in athletic activities.

CONCUSSIONS AND HEAD INJURIES (EC §49475): Requires districts who elect to offer athletic programs to immediately remove for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during the activity and prohibits the return of the athlete to that activity until he/she is evaluated by and receives written clearance from, completes a graduated return-to-play protocol or not less than seven days in duration under the supervision of a licensed health care provider, and requires district to provide annually a concussion and head injury information sheet to be signed and returned by the athlete and his/her parent before the athlete initiates practice or competition.

OPIOID FACTSHEET (EC 49476): Requires districts who elect to offer athletic programs to annually provide the Opioid Factsheet for Patients to each athlete, to be signed and returned by the athlete and his/her parent. Please refer to Attachment titled Opioid Factsheet.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS (EC §§49472, 48980): The District Governing Board may provide or make available medical or hospital service through nonprofit membership corporations, defraying the cost of medical service or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance, for injuries to District pupils arising out of accidents occurring on District property or while being transported to and from school-sponsored activities. No pupil is required to accept such service, without the consent of his/her parent/guardian.

INSTRUCTION FOR PUPILS WITH TEMPORARY DISABILITIES (EC §§48206.3, 48207.3, 48207.5, 48980): If your child should suffer a temporary disability which makes attendance in regular day classes or an alternative education program in which the child is enrolled impossible or inadvisable, your child shall receive individual instruction provided by the district in which he/she is deemed to reside. Individual instruction includes instruction provided in your home, in a hospital or other residential health facility, excluding state hospitals, or under other circumstances prescribed by state law. If your child is well enough to return to school during the school year in which individual instruction began, he/she must be allowed to return to the school that he/she attended prior to receiving individual instruction. Individual instruction in your home must commence no later than five working days after the district determines your child shall receive this instruction.

PUPILS WITH TEMPORARY DISABILITIES (EC §§48207, 48208, 48980): In the event that your child has a temporary disability and is confined in a hospital or other residential health facility located outside this District, you shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. In such circumstances, it is your responsibility to notify the school district in which you are deemed to reside of your child's presence in a qualifying hospital.

TYPE 2 DIABETES (EC §49452.7) Please refer to Attachment 5 for information required to be provided to parents of 7th grade pupils regarding type 2 diabetes.

PROOF OF ORAL HEALTH ASSESSMENT (EC §49452.8): Your child must have an oral health assessment (dental check-up) by no later than May 31 of the first year entering kindergarten or first grade. Dental check-ups in the 12 months before starting school meet this requirement. Ask your dentist to fill out the Oral Health Assessment Form provided by the school. You may be excused from complying with the dental-check up requirement by marking the box next to the appropriate reason on Section 3 of the Oral Health Assessment Form.

FREE AND REDUCED PRICE MEALS (EC §§49510, et seq., 48980): Depending on annual household income, or if a household member starts receiving CalFresh, CalWORKs, or FDPIR, your child may be eligible for benefits including free or reduced price meals. New applications will be available to the household with a letter about the meal program after July 1st of each year. Households that want to apply for meal benefits must fill out one application for all children in the household and give it to the Food and Nutrition Services office at 32972 Calle Perfecto, San Juan Capistrano, CA 92675. For a simple and secure method to apply, use our online application at <https://www.lunchapplication.com>. Contact Food and Nutrition Services at (949) 234-9509 for help filling out the application. Food and Nutrition Services will let you know if your application is approved or denied. **Meals will be free for all students for the 2022-2023 school year.****

NOTIFICATION OF PESTICIDE USE (EC §§17611.5, 17612, 48980.3): A copy of the school's integrated pest management plan is posted on the school's website. Please refer to capousd-ca.schoolloop.com/M&O for a list of all pesticide products expected to be applied at your child's school during the upcoming year.

ASBESTOS MANAGEMENT PLAN (40 CFR §763.93): The District’s updated asbestos management plan for each school is available for inspection on the maintenance and operations page of the District website, <https://capousd-ca.schoolloop.com/file/1514016268915/1218998864154/5396265509243377116.pdf>.

ATTENDANCE

<u>Item</u>
<p><u>STATUTORY ATTENDANCE OPTIONS</u> (EC §§35160.5, 46600, 48204, 48980): The District is required to advise each parent/guardian of all existing statutory attendance options and local attendance options available in the District. These are options for attending schools other than the school designated for the local attendance area in which the parent/guardian resides. The options include intradistrict transfer, interdistrict transfer, transfer based on parental employment, “district of choice” if established by Governing Board resolution, and district of enrollment pursuant to the Open Enrollment Act, as specified. You may access interdistrict transfer permit information and policy on the District’s website at capousd.org. Please refer to Attachment 2 for a complete summary of these attendance options.</p>
<p><u>EXCUSED ABSENCES</u> (EC §§48205, 48980): Your child may be excused from school when the absence is for medical or justifiable personal reasons. Your child will be allowed to complete all assignments and tests missed during such an excused absence. Please refer to Attachment 3 for the full text of section 48205.</p>
<p><u>GRADE REDUCTION/LOSS OF ACADEMIC CREDIT</u> (EC §§48205, 48980): Your child may not have his/her grade reduced or lose academic credit for any absence or absences excused under Education Code section 48205, when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Please refer to Attachment 3 for the full text of section 48205.</p>
<p><u>ABSENCES FOR RELIGIOUS PURPOSES</u> (EC §§46014, 48980): With your written consent, your child may be excused from school in order to participate in religious exercises</p>

or to receive moral and religious instruction at your child's place of worship or at other suitable place or places away from school property designated by the religious group. Your child may not be excused from school for this purpose on more than four days per school month.

[EXCUSE TO OBTAIN CONFIDENTIAL MEDICAL SERVICES](#) (EC §46010.1): Pupils in grades 7 to 12 may be excused from school for the purpose of obtaining confidential medical services, without the consent of the pupil's parent/guardian.

[PREGNANT AND PARENTING PUPILS](#) (EC §§ 222.5, 46015, 48205, 48980): A pregnant or parenting pupil is entitled to eight weeks of parental leave from school, as specified, but is not required to take all or part of the leave. Absences taken for parental leave shall be excused absences until the pupil is able to return to school. A pupil will not be penalized academically for leave taken and is entitled to opportunities to make up work missed during his/her leave, including makeup work plans and re enrollment in courses. Please refer to Attachment EDC_48205 for the full text of section 48205.

[SCHEDULE OF MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS](#) (EC § 48980): The District is required to advise all parents/guardians of the schedule of minimum days and pupil-free staff development days. Please refer to the District's schedule which is Attachment 10 to this notice. If any minimum or pupil-free staff development days are scheduled following the distribution of this notice, the District will notify you as early as possible, but not later than one month before the scheduled minimum or pupil-free day.

NON-DISCRIMINATION

<u>Item</u>

<p><u>STATEMENT OF NON-DISCRIMINATION</u> (EC §§200, 220; Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, § 504 of the Rehabilitation Act of 1973): The District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived ancestry, color, disability,</p>
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gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. Your child has a right to a free public education, regardless of immigration status. Please refer to attachment 6 “Know Your Educational Rights” related to immigration. Additional resources for immigrant students and family members developed by the California Attorney General are accessible at <http://oag.ca.gov/immigrant/rights>. The District will take steps to assure that the lack of English will not be a barrier to admission and participation in District programs. Complaints alleging noncompliance with the District’s policy of nondiscrimination should be directed to Equity Compliance Officer: Rich Montgomery, Assistant Superintendent, Human Resource Services, 33122 Valle Road, San Juan Capistrano, CA 92675, 949-234-9200, rjmontgomery@capousd.org ; Title IX Coordinator: Rich Montgomery, Assistant Superintendent, Human Resource Services, 33122 Valle Road, San Juan Capistrano, CA 92675, 949-234-9200, rjmontgomery@capousd.org and Section 504 Coordinator: Refugio “Cuco” Gracian, Executive Director, Cultural Proficiency, Equity, Access, SEL, 33122 Valle Road, San Juan Capistrano, CA 92675, 949-234-9250, ccgracian@capousd.org .

A copy of the District’s nondiscrimination policy is available from the District office.

[SEXUAL HARASSMENT POLICY](#) (EC §§231.5, 48980; 5 CCR §4917): The District’s written sexual harassment policy is Attachment 8 to this notice.

PUPILS WITH DISABILITIES

Item

SPECIAL EDUCATION (EC §56000 et seq.; 20 USC §1401 et seq.): Both California and United States law require that a free appropriate public education (FAPE) in the least restrictive environment (LRE) be offered to qualified pupils with disabilities. Information on pupil eligibility, procedural safeguards, and additional matters is available from the principal of your child’s school.

CHILD FIND (EC §§56300, 56301): The District has a duty to identify, locate and assess children with disabilities who are in need of special education and related services. If you believe that your child is in need of special education and related services, you may initiate a referral for assessment by contacting the principal of your child's school.

MISCELLANEOUS

Item

COMPREHENSIVE SEXUAL HEALTH AND/HIV/AIDS PREVENTION EDUCATION (EC §§51938, 48980): The District will provide instruction in comprehensive sexual health and HIV/AIDS prevention education and research on student health behaviors and risks for the coming school year. Written and audiovisual educational materials used in this education are available for your inspection at the Principal's office. The education will be taught by school district personnel. You have the right to request in writing that your child shall not receive comprehensive sexual health education or HIV/AIDS prevention education. The District may administer anonymous, voluntary and confidential research and evaluation tools to measure students' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about pupils' attitudes concerning or practices relating to sex. You will be notified in writing if any such test, questionnaire or survey is to be administered, and you will be given the opportunity to review the test, questionnaire or survey and request in writing that your child not participate. Additional information is available [here](#).

DISSECTION OR OTHERWISE HARMING OR DESTROYING ANIMALS (EC §32255 et seq.): If your child has a moral objection to dissecting or otherwise harming or destroying animals, he/she has a right to notify the teacher regarding this objection and to refrain from participation in an education project involving the harmful or destructive use of animals which must be substantiated with a note from a parent/guardian.

CAASPP STATE EXAMS (EC 60615; 5 CCR 852): During the spring, students in grades 3-8 and 11 will take the annual state exams. Parents may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP. In order to qualify

for the State Seal of Biliteracy, your student is required to participate in the English/Language Arts portion of CAASPP testing in eleventh grade.

ADVANCE PLACEMENT EXAMS (EC §§ 52242, 48980): The District may be able to help pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged pupils.

COLLEGE ADMISSION REQUIREMENTS; CAREER TECHNICAL EDUCATION
(EC §§51225.3, 51229, 48980):

- College Admission Requirements: The University of California (UC) and the California State University (CSU) have established common high school course requirements for undergraduate admission. Pupils who take these courses and meet other specified criteria are eligible to apply and be considered for admission. The following list is commonly referred to as the “A-G” requirements:
 - (1) two years of history/social science;
 - (2) four years of college preparatory English or language instruction;
 - (3) three years of college preparatory mathematics;
 - (4) two years of college preparatory laboratory science;
 - (5) two years of the same language other than English;
 - (6) one year of visual and performing arts; and
 - (7) one year of college preparatory electives.
- Websites: The following UC and CSU web sites help pupils and their families learn about college admission requirements, and also list high school courses that have been certified for undergraduate admission:

UC:

<https://admission.universityofcalifornia.edu/admission-requirements/freshman-requirements>

CSU: www.csumentor.edu/planning/high_school/subjects.asp

- *Career Technical Education*: The California Department of Education defines “career technical education” as a program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide pupils with a pathway to postsecondary education and careers. Career technical education includes agriculture education, home economics, industrial and technology education, and regional occupational centers and programs, among other educational programs.
- For a list of career technical education courses offered by the district that satisfy the subject matter requirements for admission to the Cal State and UC systems, please see [High School Course Catalog](#) or the [College and Career Advantage Website](#).
- *Website for Career Technical Education*: Pupils can learn more about career technical education at the following California Department of Education website:

www.cde.ca.gov/ci/ct/
- *Counseling*: Your child has the right to meet with a school counselor for help in choosing courses that will meet college admission requirements, or enrolling in career technical education courses, or both. If you wish to schedule a meeting with a school counselor, please contact your school’s Guidance office.

SCHOOL ACCOUNTABILITY REPORT CARD (EC §§35256, 33126, 32286): The District Governing Board annually issues a School Accountability Report Card (SARC) for each school in the District. You may obtain a copy of the SARC from the Principal’s office. The SARC includes, but is not limited to, assessment of school conditions specified in California Education Code section 33126. The SARC also includes an annual report on the status of the safety plan for your child’s school, including a description of its key elements.

[LANGUAGE PROGRAMS](#) (EC §310) The District is required to offer, at a minimum, a Structured English Immersion (SEI) program option (*EC* Section 305[a][2]). We also offer the following language acquisition program:

Structured English Immersion Program: A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered Designated ELD and provided access to grade level academic subject matter content with Integrated ELD.

Dual-Language Immersion (DLI) Program: A language acquisition program also referred to as **Two-Way Immersion** that provides language learning and academic instruction for native speakers of English and native speakers of another language with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. This program begins in Transitional Kindergarten/Kindergarten (TK/K) and continues to twelfth grade.

[LONG-TERM ENGLISH LEARNER AND AT-RISK OF LONG-TERM ENGLISH LEARNER](#) (EC §313)

(a) The department shall annually ascertain the number of pupils in each school district and school, including a school that is within the jurisdiction of a county office of education and a charter school, who are, or are at risk of becoming, long-term English learners, as those terms are defined in Section 313.1 .

(b) The department shall annually provide the information described in subdivision (a) to school districts and schools and post on the department's Internet Web site the number of long-term English learners and English learners at risk of becoming long-term English learners in the state.

(c) In addition to the information specified in subdivision (b) of Section 440 , the notice of assessment of a child's English proficiency shall also contain all of the following information:

(1) Whether the child is a long-term English learner or English learner at risk of becoming a long-term English learner, as those terms are defined in Section 313.1 .

(2) The manner in which the program for English language development instruction will meet the educational strengths and needs of long-term English learners or English learners at risk of becoming long-term English learners.

(3) The manner in which the program for English language development instruction will help long-term English learners or English learners at risk of becoming long-term English learners develop English proficiency and meet age-appropriate academic standards.

(d) A local educational agency or charter school may, to comply with the requirements of subdivision (c), send a notice to parents and guardians that identifies pupils as long-term English learners or English learners at risk of becoming long-term English learners, including pupils in addition to those who meet the definitions in Section 313.1 , if all of the following conditions are met:

(1) The definitions used by the local educational agency or charter school are broader than those in Section 313.1 and consequently include all pupils who meet the definitions in Section 313.1 .

(2) The notice states that the definitions used by the local educational agency or charter school are broader than those in state law.

(3) The notice includes the information specified in paragraphs (2) and (3) of subdivision (c).

HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS

(EC §51240): If any part of the school’s instruction in health conflicts with your religious training and beliefs, you may submit a written request that your child be excused from the part of the instruction that conflicts with your religious training and beliefs.

NOTICE OF ALTERNATIVE SCHOOLS (EC §58501): The law requires the District to provide parent/guardians with a notice of alternative schools. Please refer to Attachment 4 for a copy of the notice specified in Education Code section 58501.

SEX EQUITY IN CAREER COUNSELING AND COURSE SELECTION (EC §221.5):

You have the right to participate in counseling sessions and decisions concerning career counseling and course selection, commencing with course selection for grade 7.

UNIFORM COMPLAINT PROCEDURES (5 CCR §4622): The District has adopted policies and procedures for the filing, investigation and resolution of complaints regarding alleged violations of federal or state law or regulations governing educational programs, including allegations of unlawful discrimination. A copy of the District's Uniform Complaint Procedures is available from the District office. Please refer to Attachment 7, which is the District's Notice of Uniform Complaint Procedures.

EVERY STUDENT SUCCEEDS ACT (ESSA ("ESSA", 20 USC §6301 *et seq.*; EC §§313.2, 440):

- Limited English Proficient Children: The ESSA requires the District to inform the parent or parents of a limited English proficient (LEP) child identified for participation or participating in a language instruction educational program, of the following:
 - (1) the reasons for the identification of the child as LEP and in need of placement in a language instruction educational program;
 - (2) the child's level of English proficiency, how such level was assessed and the status of the child's academic achievement;
 - (3) the methods of instruction used in the program in which the child is or will be participating, and the methods of instruction used in other available programs;
 - (4) how the program in which the child is or will be participating, will meet the educational strengths and needs of the child;
 - (5) how such program will specifically help the child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
 - (6) the specific exit requirements for the program;

- (7) in the case of a child with a disability, how such program meets the objectives of the individualized education program (IEP) of the child; and
- (8) information pertaining to parental rights that includes written guidance detailing the right that parents have to have their child immediately removed from such program upon their request, and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the District.

If your child is LEP and has been identified for participation or is participating in the language instruction educational program, please contact Rowena Mak, Director, Language Acquisition at (949) 234-9256 for the above information that is specific to your child.

- *Right to Information Regarding the Professional Qualifications of Teachers and Paraprofessionals*: The ESSA grants parents the right to request information regarding the professional qualifications of the children's classroom teachers, including the following:
 - (1) whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
 - (2) whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
 - (3) 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; and

(4) whether the child is provided services by paraprofessionals and, if so, their qualifications.

This information is available from the Human Resource Services department at (949) 234-9200. The District will provide timely notice if your child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified.

- *Information on Child's Level of Achievement:* The District will provide timely information on the level of achievement of your child in each of the state academic assessments.
- *Homeless Liaison:* Homeless pupils have certain rights under California and United States law. For information concerning these rights, please contact the District's liaison for homeless children and youths, Margarita Vivas, who may be contacted at (949) 234-9297.
- *Release of Pupil Information to Military Recruiters:* Please see entry under Pupil Records.

[California College Guidance Initiative](#) The Capistrano Unified School District (CUSD) is excited to inform you that it has partnered with the [California College Guidance Initiative \(CCGI\)](#) to help your student develop a college and career plan for after high school. CCGI uses its web-based platform ([CaliforniaColleges.edu](#)) to offer students, families, and educators a single access point for college, career, and financial aid planning. **These resources are only provided when students' transcript data is uploaded from CUSD's Aeries database into [CaliforniaColleges.edu](#) in accordance with all [state and federal student privacy laws](#).**

[Fifth Grade Science Camp Potential for Non-binary Counselors](#) Students who attend Outdoor Education have the right to participate, and use facilities, consistent with their gender identity, irrespective of the gender listed on the student's record. (Ed. Code, § 221.5(f).) Similarly, the California Gender Nondiscrimination Law requires adults have access to facilities that align with their gender identity. (Cal. Civ. Code, § 51.) Privacy rights protect

disclosure of information about an individual's gender to the public, and thus, information about other individuals in your student's cabin cannot be shared, other than to clarify that all individuals in the "female" cabin primarily identify as female, and all individuals in the "male" cabin primarily identify as male. To the extent an individual is non-binary, the individual must select a primary gender for the purpose of use of single-sex facilities. [Linked here](#) is a document to help parents talk to their students about gender identity.