

Annual Legal Notifications

Absences:

Truancy Definitions – EC 48260, 48262 and 48263.6

A student is considered truant after three absences or three tardies of more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC 48205.

Excused Absence Other than Illness - EC § 48205

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to his or her illness.
 - (2) Due to quarantine under the direction of a county or city health officer.
 - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
 - (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
 - (5) For the purpose of jury duty in the manner provided for by law.
 - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
 - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniform services, as defined in EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. 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.
- (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, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

Solutions - EC § 48260.5 - Upon a pupil's initial classification as a truant, the school district shall notify the pupil's parent or guardian, by first-class mail or other reasonable means, of the following:

- (a) That the pupil is truant.
- (b) That the parent or guardian is obligated to compel the attendance of the pupil at school.
- (c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.
- (d) That alternative educational programs are available in the district.
- (e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- (f) That the pupil may be subject to prosecution under Section 48264.
- (g) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to Section 13202.7 of the Vehicle Code
- (h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for the day.

Confidential Medical Services - EC § 46010.1 - Students in grades 7-12 may be excused to obtain confidential medical services without consent of parent.

Religious Purposes - EC § 46014 - With written parental consent a pupil may be excused from his regular classes to participate in religious exercises at a place designated by the church.

Advanced Placement Examination Fees - EC § 48980 (m) - Any pupil enrolled in an advanced placement course and who needs financial assistance to pay for the advanced placement exam may apply to the Claremont High School administrative staff for a scholarship to pay part of the fees.

AIDS Education - EC § 51201.5 & EC § 51553 - Requires written notice of the purpose of sexually transmitted diseases, AIDS, human sexuality, or family life instruction to parents of students in grades K-12. Parents may request that their child not receive the instruction and in addition may request copies of §51201.5 and 51553, related to AIDS prevention instruction.

Alcohol, Tobacco, and Other Drug Policies:

- (a) The District prohibits students from unlawfully possessing, using, or distributing illicit drugs or alcohol on school property or any school sponsored activity. Violation of this policy can lead to recommendation for expulsion, referral for prosecution, and completion of a rehabilitation or cessation program.
- (b) The District prohibits students from using tobacco products anywhere, anytime on district property. Violation of this policy can lead to recommendation for expulsion, referral for prosecution, and completion of a rehabilitation or cessation program.
- (c) The District prohibits all persons from using tobacco products at all school facilities and on all school grounds anytime. The District is a tobacco-free district, pursuant to the Tobacco Use Prevention Education Act.
- (d) When students are identified as having drug, alcohol, or tobacco abuse-related problems, the District may refer them to intervention and/or counseling programs.

Alternative Educational Programs/ Solutions:

Independent Study:

Notice of Alternative Schools - EC § 58501 & EC § 51553 - California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

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

The Independent Study Program is governed by Board Policy No. 6158. In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

Request by Parent or Guardian to Establish Program - EC § 58502 - The parent or guardian of any pupil may request the governing board of a school district to establish an alternative school program or programs in the district pursuant to this chapter.

Graduation Requirements - EC § 51225 - Requirements for graduation and alternative modes for completing the prescribed course of study are on file in the Educational Services Office at 170 W. San Jose Avenue, Claremont, CA 91711.

Attendance at Alternate Schools:

Intradistrict/Open Enrollment- EC § 35160.5(b) - The Board of Education per Education Code 35160.5c has adopted a policy which allows any resident of the District to request attendance at an alternative school site of the same grade level. Priority is given first to students who reside within the school's attendance area and then follow specific criteria including random selection and assignment that will not create racial and ethnic imbalance. The District does not transport any students where parents have requested a movement to an alternative school site. This process is governed by Board Policy No. 5116.1. At the current time, the Claremont Unified School District does not participate in the "District of Choice" as outlined in Education Code 48209.

Interdistrict Attendance – EC 46600 et seq.

The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other school district. School districts may enter into agreements for the interdistrict transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers, and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an interdistrict transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled.

A pupil who has been determined by personnel of either the home or receiving district to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent or legal guardian, be given priority for interdistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict agreement.

Open Enrollment Act – EC 48350 et seq.

Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may seek to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. Parents of high school athletes should check on CIF sports eligibility rules before pursuing a transfer under this option. Transportation to any other school is the responsibility of the parent. School districts are allowed to adopt specific, written standards for acceptance and rejection of applications as long as students are selected through a random and unbiased process. The requests for transfers are to be submitted by May 15 of the prior school year. To apply, parents must directly contact the school district to which they seek to transfer their student. The Open Enrollment List can be found on the California Department of Education website at <http://www.cde.ca.gov/sp/eo/op/>.

Hospitalized Students - EC § 48207 & EC § 40208 - Hospitalized pupils become residents of the District in which the hospital is located. Parents are required to notify the District of (new) residency.

Asbestos Management Plan - 40 CFR § 763.93

The Claremont Unified School District maintains and annually updates its management plan for asbestos - containing material in school buildings. For a copy of the asbestos management plan, please contact Rick Cota at (909) 398-0609 ext. 71002.

California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act - EC § 51930-51938

Right of Parent or Guardian (EC 51938) A parent or guardian of a pupil has the right to excuse his or her child/student from all or part of comprehensive sexual health education, HIV/AIDS prevention education, and assessments related to that education. Each school will annually notify parents or guardians concerning the planned instruction that pupils will receive in comprehensive sexual health education and HIV/AIDS prevention education and research on pupil health behaviors and risks. Parents are advised of the following items:

- The written and audio visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education are available for inspection,
- The comprehensive sexual health education and HIV/AIDS prevention education instructional units will be taught by district personnel or guest speaker,
- Parents or guardians have the right to request a copy of Education Code §51934, §51937 and §51938, and
- Parents or guardians may request in writing that their child/student not receive comprehensive sexual education and HIV/AIDS prevention education.

The District currently offers classes in grades 5 and 6, and at least once at the intermediate level and high school level.

California High School Exit Exam (CAHSEE) – EC § 48980(e)

Each pupil completing grade 12 shall successfully pass the California High School Exit Exam (CAHSEE) as a condition of graduation. Each pupil shall take the examination beginning in grade 10 and may take the examination each subsequent administration until he/she passes the examination. A pupil with an Individualized Education Plan (IEP) or Section 504 Plan may take the CAHSEE with accommodations that do not fundamentally alter the nature of the test. For more information, visit: http://www.cde.ca.gov/ta/tg/hs/documents/cahseeqa08_003.doc.

Education Code 37254 requires that school districts receiving intensive instruction funds ensure that all pupils who have not passed one or both parts of the CAHSEE by the end of grade 12 are notified in writing at the last known address before the end of each school term of the availability of intensive instruction services in sufficient time to register for or avail themselves of those services each term for two consecutive academic years. Students must also be notified in writing of their right to file a complaint pursuant to the district's Uniform Complaint Process. This notice must be posted in each school and district office and on the internet website of the school district.

California High School Proficiency Exam (CHSPE)

Students who are 16 years old and have completed the tenth grade or enrolled in the second semester of tenth grade may take the CHSPE which covers basic reading, writing and mathematics skills taught in public schools.

Eligible persons who pass the CHSPE are awarded a certificate of Proficiency by the State Board of Education.

California law requires that the Certificate of Proficiency be equivalent to a high school diploma. Institutions that are subject to California law and that require a high school diploma also must accept a Certificate of Proficiency. A student who has received a Certificate of Proficiency may, with verified parental approval, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. Speak to your school counselor to understand the benefits of the Certificate of Proficiency. If you are planning to continue your studies in a college or university, contact the admissions office so that you may understand its requirements and whether or not the CHSPE certificate will be accepted.

California State Information Services (CSIS) Participation Program

The Claremont Unified School District is participating with the California School Information Services (CSIS) Program in the electronic transfer of student data for state reporting to the California Department of Education and to districts and/or public postsecondary institutions to which the student is transferring or applying for admission. All data maintained by the CSIS Program is in compliance with federal and state privacy and confidentiality requirements. Student information is encoded such that no personally identifiable information is retained by CSIS.

The benefits of participation to the student and parent are that student records can be transferred much more promptly, and that information about student assessment and academic placement will be available at the time of transfer. Schools and districts will benefit from the streamlining and reduction of required state reporting.

Parents have the right to inspect student information maintained by the CSIS program. Contact the Assistant Superintendent of Educational Services, to initiate this procedure.

Career Counseling - EC § 40 - All students have opportunities to receive career counseling and equal opportunity for course selection without regard to their gender. Parents have the right to participate in all counseling sessions and decisions related to course selection and career counseling.

Child Abuse Prevention Training Program - WIC 18976.5 - All kindergarten students are offered the opportunity to participate in a Child Abuse Prevention Program. Parents are notified prior to the program and have the opportunity to request that their child not participate in the program.

Discipline Rules - EC § 35291, EC § 35291.5, EC § 35291.7 - Each school has adopted a set of discipline rules which are on file in the Principal's office and the office of the Assistant Superintendent of Student Services.

Duty Concerning Conduct of Students - EC § 44807 - Every teacher in the Claremont Unified School District shall hold students to a strict account of their conduct on the way to and from school, on the playground, or during recess.

Duties of Pupils - CAC Title V § 300 - Every pupil shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of his teacher and others in authority; observe proper deportment; be diligent in study; respectful to his teacher and others in authority; kind and courteous to schoolmates; and refrain entirely from the use of profane and vulgar language.

Emergency/School Closure - Notification of emergency situations and/or school closures will be broadcast over radio stations KFWB (980 AM) and KNX (1070 AM).

Foster Pupils - EC §§ 48850 et seq. - The District's educational liaison ensures that pupils in foster care receive stable school placements which are in the best interests of the child, placement in least restrictive educational programs, access to academic resources, services, and extracurricular and enrichment activities available to all pupils, full and partial credits for coursework taken, and meaningful opportunity to meet state pupil academic achievement standards.

Grade Reduction/Loss of Academic Credit - EC § 48980(k) - No pupil shall have grade reduced/loss of credit for any absence or absences excused pursuant to §48205, for missed assignments/tests that can reasonably be provided/completed. Excused absences are defined by §48205, which is printed under absences.

Head Lice - People of all ages are subject to exposure to a variety of communicable diseases. Some pose a threat to health; others are a nuisance to care for. One such "nuisance" is Pediculosis, or head lice. Head lice is a communicable disease which is currently at an epidemic level in the United States. Anyone can be affected, regardless of his or her standard of hygiene. Whenever it is determined that a student has head lice, the student is sent home for treatment and the student's classmates receive written notices which inform parents of the exposure. School health personnel also check other students in the classroom. A call to the school office is requested if the parents determine that a student has head lice and treatment is begun at home. Cooperation of parents in this way will assist the District in its attempt to keep head lice from epidemic proportions.

Health Instruction - EC § 51240 - By written request a student may be excused from any part of health instruction which conflicts with religious training and belief of the parent.

Immunizations – EC 49403 and 48216, HSC 120335, 120365, and 120370

Requires the school district exclude any pupil not properly immunized and to notify the parent or guardian that they have two weeks to supply evidence that the pupil has been properly immunized or that the pupil is exempt from the immunization requirements as specified in HSC 120365 or 120370. Notification to also refer the parent or guardian to usual sources of medical care to obtain the immunization(s).

Beginning January 1, 2014 the signed waiver to exempt a pupil from meeting immunization requirements shall include a form prescribed by the State Department of Public Health signed by 1) the health care practitioner who provided information to the parent or legal guardian regarding the benefits and risks of the immunization and the health risks of the communicable diseases; and 2) the parent or legal guardian, indicating that he or she received the information provided by the health practitioner. Students are prohibited from attending school until the immunization requirements are met. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children.

Note: School districts must apply the immunization requirements in concert with the immediate enrollment mandates for homeless and foster youth.

Unless a pupil's parent or legal guardian provides the school with an acceptable signed waiver, a pupil must be immunized against certain communicable diseases. Students are prohibited from attending school until the immunization requirements are met. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children.

Insurance for Athletic Teams - CEC § 32221.5 Requires school districts that operate interscholastic athletic teams to include a statement regarding no- or low-cost health insurance programs in offers of insurance coverage that are sent to athletic team members. For further information please contact Claremont High School ASB.

Internet Services Student Access - EC § 51870.5 -The Governing Board recognizes that technology provides ways for teachers and students to access current and extensive sources of information. Technology also enables students to practice skills and to develop reasoning and problem-solving abilities. Effort shall be made to provide equal access to technology throughout the District.

The Board intends that the Internet and other on-line resources provided by the District be used to support the instructional program and further student learning.

The District regulations prohibit access to harmful matter on the Internet, which may be obscene or pornographic and preclude other misuses of the system to obtain inappropriate material/information. In addition, these regulations establish the fact that users have no expectation of privacy and that District staff may monitor or examine all system activities to ensure proper use of the system. Students who fail to abide by District rules shall be subject to disciplinary action including expulsion, revocation of the user account and legal action as appropriate.

Because the Internet contains an unregulated collection of resources, the District cannot guarantee the accuracy of the information or the appropriateness of any material that a student may encounter. Therefore, before using the District's on-line resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement. The agreement specifies the user's obligations and responsibilities and indemnifies the District from any damages. The parent/guardian shall agree to not hold the District responsible for materials acquired by the student on the system, for violations of copyright restrictions, users' mistakes or negligence of any costs incurred by users.

Staff shall supervise students while using on-line services and may ask teacher aides and student aides to assist in this supervision.

Laser Pointers PC - EC § 417.27 - State law prohibits possession of a laser pointer by any student on any Claremont Unified School District elementary or secondary school premise, unless possession is for valid instruction. Further prohibits directing the beam of a laser pointer into the eyes of another or into a moving vehicle or into the eyes of a guide dog.

Mailing Labels - EC § 49073 - The District, from time to time, provides "To the Parents of" mailing labels to outside youth organizations. In addition, the District is required by Federal Law to provide directory information consisting of name, address, birth date and grade level to military recruiters. If you do NOT want the District to supply a label for your student or directory information to military recruiters, you must notify the District in writing by October 1, 2014. Please send your request to the Assistant Superintendent of Educational Services.

Medical Insurance - EC § 49472 - Any school district may make available medical or hospital insurance through nonprofit membership corporations defraying the cost through group, blanket or individual policies of accident insurance. No student shall be compelled to accept such services.

Notice of Non-discrimination and Compliance to Parents - EC § 40; Title VI, Civil Rights Act of 1964, & Title IX, Educational Amendment Act (IDEA) - In compliance with federal law, the Board of Education of the Claremont Unified School District has adopted the following policies:

It shall be the policy of the Claremont Unified School District not to discriminate on the basis of race, creed, color, national origin, sex, age or handicap in its educational programs, including vocational education, nor in the activities which it operates. (Claremont Unified School District Policy 0100 and 0110)

It shall further be the policy of the Claremont Unified School District to provide equal opportunity in employment for all persons and to prohibit discrimination based upon race, color, religion, age, physical handicap, ancestry, national origin or sex in every aspect of personnel policy and practice in employment, development, advancement and treatment of employees and to promote the total realization of non-discrimination through an active recruitment process. (Claremont Unified School District Policy 4121)

An Affirmative Action Plan is coordinated and facilitated through the office of the Assistant Superintendent, Personnel. The ethnicity and gender equity of staff is constantly monitored to be a reflection of those qualities among the student population and reflected in the employed population within the District boundaries.

Efforts are made in recruiting and retention practices to address discrepancies. The parents and community are involved in activities to stimulate and promote the integration of multi-culturalism into the behaviors of staff and students.

Inquiries concerning the application of Title VI, Title IX, Section 504 and the implementing regulations to the District or questions concerning the District's employment process may be referred to Mr. Kevin Ward, the District's Compliance Officer at the Richard S. Kirkendall Education Center, (909) 398-0609, Ext. 70302.

Inquiries also may be directed to the Director of the Office for Civil Rights, Department of Health, Education and Welfare.

Notices to Parents or Guardians in Languages Other than English - EC§ 48985 - If 15% or more of the pupils enrolled in a public school that provides instruction in kindergarten or any grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to the department pursuant to Section 52164 in the preceding year, all notices, reports, statements, or records sent to the parent/guardian of any such pupil by the school district shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language.

Parent Involvement Policy – EC§11503 – (See Attachment B)

Parents' Rights Brochure - The California Department of Education has approved a Parents' Rights brochure. An electronic copy may be found on the California Department of Education web site at <http://www.cde.ca.gov/iasa/partntrts.html>.

Persistently Dangerous Schools – 20 USC 7912 – If while on school grounds a student becomes a victim of a violent criminal offense, he/she shall be provided an option to transfer to another district school or charter school. (20 USC 7912)

If a student attends a school designated by the California Department of Education as "persistently dangerous," he/she shall be provided an option to transfer to another district school or charter school.

Physical Examination - EC § 49451 - A parent may file annually with the principal of the school a statement in writing stating that he does not consent to a physical examination. However, when there is reason to believe that the child is suffering from a recognized contagious or infectious disease, he shall be sent home and shall not be permitted to return until school authorities are satisfied that a contagious or infectious disease does not exist.

Private Schooling for Handicapped - EC § 56031 - Any handicapped pupil for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the Director of Special Education for more information.

Property Damage - EC § 48904 - The Board of Education has adopted policies and procedures allowing schools to withhold grades, diplomas, and transcripts if students damage any materials or property of the District and appropriate restitution is not made.

Proposition 187 Notification - The Federal Court has issued a preliminary injunction prohibiting the implementation of Proposition 187. This means that no student who lives in California can be kept out of school (from Kindergarten through 12th grade) just because of his/her citizenship or immigration status. Schools must use the same rules they used before Proposition 187 was passed. No school employee may ask any student, parent, or guardian about his/her citizenship or immigration status. No school employee may report or give information about the citizenship or immigration status of a student, parent, or guardian to the Immigration and Naturalization Service, the Attorney General, or any government agency. This preliminary injunction against Proposition 187 will stay in effect unless otherwise ordered.

Public Health, Oral Health Assessment - EC § 49452.8 - Requires that a pupil while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, to no later than May 31 of the school year present proof of having received an oral health assessment that was performed no earlier than 12 months prior to the date of the initial enrollment of the pupil.

Concussion and Head Injuries – EC 49475 – A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. On a yearly bases, a concussion and head injury information sheet must be signed and returned by the athlete and athlete’s parent or guardian before the athlete’s initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of the physical education course.

Pupil Medication - EC 2 § 49480 - The California Education Code Section 49480 includes the following information regarding pupils who require medications:

The parent or legal guardian of any public school pupil on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage and the name of the supervising physician. **(This shall be done by providing the medication to the school in the pharmacy's original container.)** 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.

Please be advised that should you have a child attending one of Claremont Unified School District's schools who falls in the Special Pupil Medication category, to contact your child's school to obtain the proper form which will enable you to give the necessary information regarding your child's medication.

Please return the completed form to your child's school.

Administration of Medication at School - EC § 49423 - Any student who is required during the school day to take medication prescribed for him by a physician may be assisted by the school nurse or other designated school personnel provided the school district receives:

- (a) A written statement from the student's physician detailing the method, amount and time schedule by which the medication is to be taken and,
- (b) A written statement from the parent requesting that the school district assist the pupil in taking the medication prescribed by the physician.

Note: Pupil may self-administer auto-injectable epinephrine or inhaled asthma medication at school as prescribed by a physician.

Reciprocal Withholding of Grades, etc. - EC § 48904.3 - The District will honor requests of other school districts on the withholding of grades, diplomas, and transcripts when a request is received. Parents will be informed if requests are received.

Rights of Homeless Students - The federal McKinney-Vento Act protects the rights of children and youth in homeless situations to attend and to succeed in school, including pre-school. The McKinney-Vento Act applies to all children and youth who do not have a fixed, regular and adequate residence, including children and youth who are: staying with friends or relatives because they lost their housing; awaiting foster placement; or living in emergency or transitional shelters, motels, domestic violence shelters, campgrounds, inadequate trailer parks, cars, public spaces, abandoned buildings and bus/train stations.

Children and youth in homeless situations have the right to:

- Go to school, no matter where they live or how long they have lived there;
- Choose between the local school where they are living, the school they attended before they lost their housing, or the school where they were last enrolled; whichever is in the best interest of the child;
- Enroll in school without delay awaiting proof of residency, immunizations, school records, or other documents;
- Receive assistance in finding transportation to school;
- Receive all the school services they need; and
- Be free from harassment and isolation.

Enrollment issues will be immediately referred to Mike Bateman, Assistant Superintendent, Student Services, (909) 398-0609, Ext.75002.

Right to Refrain from Harmful or Destructive Use of Animals - EC § 32255 -

No student shall be required to participate in a program, which involves harmful or destructive use of animals. Alternative programs will be provided. The California Education Code section 32255.1 states the following concerning a student's rights to object to the dissection, harming, or destroying of animals.

- (a) Any pupil with a moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, shall notify his or her teacher regarding this objection. This section does not apply to agricultural education classes that provide instruction on the care, management and evaluation of domestic animals.
- (b) If the pupil chooses to refrain from participation in an education project involving the harmful or destructive use of animals, 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 in question.
- (c) The alternative education project shall require a comparable time and effort investment by the pupil. It shall not, as a means of penalizing the pupil be more arduous than the original education project.
- (d) The pupil shall not be discriminated against based upon his or her decision to exercise his or her rights pursuant to this chapter.
- (e) Pupils choosing an alternative educational project shall pass all of the respective course of study in order to receive credit for that course of study. However, if tests require the harmful or destructive use of animals, a pupil may, similarly, seek alternative tests pursuant to this chapter.
- (f) A pupil's objection to participating in an educational project pursuant to this section shall be substantiated by a note from his or her parent or guardian.

Safe Schools - The No Child Left Behind Act 2001 requires the District, along with all districts in California, to participate in the Uniform Management Information and Reporting System for collection of information that includes "the incidence and prevalence, age onset, perception of health risk, and perception of social disapproval of drug use and violence by youth in schools and communities.

School Accountability Report Card (SARC) - EC § 35256 - Copies of the previous year School Accountability Report Card are available upon request once they have been published and are available on the District web site www.cusd.claremont.edu by February 1.

The School Accountability Report Card addresses the requirements of Education Code and No Child Left Behind.

School Safety Plan - EC 32280

Each Claremont Unified School District school site has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office. Fire and emergency drills are held periodically at each school.

Sexual Harassment Policy - EC § 231.5 (See Attachment A)

Smog Procedure /Air Quality - During the smog season (May through October), the Claremont Unified School District is advised of predicted and attained smog episodes by FAX from the South Coast Air Quality Management District to the Education Center. Each day at about 11:00 a.m. a prediction is made for the next day.

Each school is then informed if a smog episode is predicted for the following day. All schools and other district facilities will fly a yellow triangular flag under the California flag.

If a smog episode is attained at the South Coast Air Quality Management District Pomona-Walnut monitoring station zone 10, all schools and facilities are informed. The yellow flag is taken down and a red flag is flown in its place until sunset or until the smog episode has ended, whichever occurs first.

A Health Advisory Episode is declared when the ozone reaches 138 Pollutant Standards Index (PSI) averaged for one hour. A First Stage Episode is declared when the ozone reaches 200 (PSI) averaged for one hour. A Second Stage Episode is declared when the ozone reaches 275 (PSI) averaged for one hour.

For the health and safety of the staff and students, the Claremont Unified School District curtails physical activities, which increase the respiratory rate when smog episodes are attained.

When a smog episode is predicted, the time for strenuous physical activities is moved to the morning hours because Claremont rarely receives an attained episode before 1 p.m.

If a health advisory or Stage I (or better) smog episode, which was not predicted, occurs at a game site area one hour before an athletic event is scheduled to begin, the principal may postpone, cancel or relocate the athletic event.

During an attained Stage I smog episode, transportation is limited to school-to-home busing or return to the district of students and staff who are away from the District.

When a Stage II smog episode is predicted, traffic abatement plans for staff are put into effect. Walking, bike riding and car-pooling are encouraged for students as well.

For further information, please contact:

South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765
(909) 396-3155; FAX (909) 396-3252

Remember:

When there is a *predicted* smog episode

- avoid driving
- yellow flag will be displayed

During an *attained* smog episode

- remain indoors until the smog episode is over
- keep doors and windows closed
- if possible circulate the air by use of a fan and the ozone will decay faster
- use an air conditioner
- avoid dust, fumes, and aerosol spray
- avoid strenuous activity
- red flag displayed

Special Education - Claremont School Board Policy 6540 provides parents of special education children the right and means to file a complaint alleging violation by Claremont Unified School District of any federal or state law or regulation governing special education. A written statement alleging a violation should include all relevant facts in the complainant's possession and should be addressed to:

Superintendent
Claremont Unified School District
170 W San Jose Avenue
Claremont, CA 91711

or to:

Consultant Services, South
Office of Special Education
California State Department of Education
601 W. Fifth Street, Suite 1014
Los Angeles, CA 90017

Claremont Unified School District policy outlines procedures for processing the complaint. Copies of the policy are available at all school sites.

The District continues to search for individuals between the ages of birth and twenty-one years who may have exceptional learning needs, which are not presently being met.

If you know of someone whose behavior suggests physical or sensory handicaps, intellectual or emotional problems, please refer directly to any school principal or contact the Director of Special Education at (909) 398-0609, Ext. 72002.

Due Process Procedure:

It is your right and option to appeal any decision regarding the identification, assessment or placement of children with special education needs. The following steps will help you with this process:

- (a) You may request a voluntary pre-hearing mediation.
- (b) Submit a written request to the Special Education Hearing Office, 3200 Fifth Ave., Sacramento, CA 95817.
- (c) Within 15 days of receipt of the request, a pre-hearing mediation will be scheduled; within 30 days the mediation conference will be scheduled.
- (d) You may request a due process hearing by writing to the above address, which includes the right to a mediation conference, the right to examine pupil records, and the right to a fair and impartial administrative hearing at the state level.
- (e) Any party who disagrees with a decision made by a hearing officer has the right to bring civil action.

The above is a brief summary of the Due Process procedures followed to protect parent and student rights under the law in special education. For further details, please consult your local school or Special Education Office.

Section 504-It is the policy of the Claremont Unified School District to ensure that students, who are handicapped within the meaning of Section 504 of the Rehabilitation Act of 1973, are identified, and provided with accommodations in the regular education program including reasonable and related aids and/or services. Any questions about Section 504 requirements should be referred to the site principal and will be implemented through the Student Study Team (SST) process. Parents may request from principals copies of the District Policy on Section 504, Board Policy 6143.

Student Calendar - EC § 48980(c) - A Board approved student calendar is available at www.cusd.claremont.edu this calendar contains dates for all scheduled minimum days and pupil-free staff development days.

Student Records Information - EC § 49063 - California Education Code 49063 stipulates that parents shall be notified of certain rights at the time of initial school enrollment and once each year thereafter. The following is information, which pertains specifically to student records:

The Claremont Unified School District's Assistant Superintendent of Student Services has been designated as the official custodian of the student records. The student's cumulative files are maintained at the school site under the direction of the site principal until three years after the student graduates. After that time, only the permanent records are maintained at the Student Services Department. If a pupil transfers prior to graduation, the permanent record is maintained; the mandatory interim records and a copy of the permanent record are forwarded to the requesting school. Table I indicates the types of records kept and the transfer of records procedure. Table II describes directory information and

the parties to whom this information will be made available, unless the school is notified, in writing, to the contrary. Once a parent has notified the District as to what can or cannot be disclosed as directory information for his or her child, that notification will be honored until such time as the parent notifies the District, in writing, of a different designation.

Parents have the right of access to records. This request should be made to the site principal, who will provide consultation for your review of the records. A parent may request removal of any information therein that is alleged to be (1) inaccurate, (2) an unsubstantiated personal conclusion or inference, (3) a conclusion or inference outside of the observer's area of competence, or (4) not based on the personal observation of a named person with the time and place of the observation noted. A written request for removal of information should be addressed to the District Assistant Superintendent of Student Services, who will establish a meeting within thirty (30) days of such request to review the allegation. Further appeal to the governing board would follow the same procedure.

A copy of the District's student records policy is available at each school site and at the District Student Services Department. Parents and eligible students may review the policy at those locations and obtain copies.

Education Code 49065 stipulates that charges for reproducing records for parents should not exceed the actual cost of reproduction.

In addition to the provisions of the Education Code, a parent's right to access to pupil records, as well as a parent's right to control the disclosure of student records, is contained in the Family Educational Rights and Privacy Act of 1974. If you feel that any rights accorded you by the Family Educational Rights and Privacy Act of 1974 are being violated, you have a right to file a complaint with the Department of Health, Education and Welfare, Room 526 F, Hubert Humphrey Building, Washington, D.C. 20201.

The "No Child Left Behind" Act of 2001 requires that school districts release names, addresses and telephone numbers of high school students upon request by military recruiters and institutions of higher learning, i.e., colleges, universities and trade schools, unless an individual student who is 18 years old or their parents request in writing that the information not be released. Any student, who is 18 years old or their parent in case of a student less than 18 years old, may send a request in writing to the District Assistant Superintendent of Student Services Department 170 W. San Jose Avenue, Claremont, CA 91711, to withhold releasing of information to military recruiters and/or institutions of higher learning.

If you know a parent who will not understand this notice, notify the District. The parent will be provided this information in his or her home language.

Through the cooperative efforts of the Claremont Police Department, we are able to provide a fingerprinting service for student identification. With parent permission, one set of prints will be taken on an identification card and provided to the parents for their records. The potential value is obvious.

Student Safety Procedures:

Bicycle Helmets - California law requires all persons under the age of 18 to wear a helmet while riding a bicycle. This law is enforced by the Claremont Police Department.

Guidelines with City of Claremont - Claremont Unified School District and the City of Claremont have jointly developed a set of guidelines and procedures that the District and Police Department will use to address the following issues: tobacco, drugs/alcohol, weapons, police interviewing students on campus, student truancy, and campus incidents requiring police assistance. For details, see your principal.

Sun Protection - 35183 and 35183.5 - Students may wear appropriate sun protective clothing that does not interfere with the educational program. In addition, students may use sun screen in a manner that does not interfere with the educational process.

Suspension/Expulsion - EC § 48900 - A student may be suspended and or expelled for:

- (a) Attempting or threatening to cause physical injury to another person.
 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) Possessing, selling or otherwise furnishing any firearm, knife, explosive, or other dangerous object.
- (c) Unlawfully possessing, using, selling or otherwise furnishing or being under the influence of any controlled substance, alcoholic beverage or an intoxicant of any kind.
- (d) Unlawfully offering, arranging or negotiating to sell any controlled substance, alcoholic beverage, or an intoxicant of any kind and either selling, delivering or otherwise furnishing another liquid, substance or material representing to be the controlled substance, alcoholic beverage, or intoxicant of any kind.
- (e) Committing or attempting to commit robbery or extortion.
- (f) Causing or attempting to cause damage to school property or private property.
- (g) Stealing or attempting to steal school property or private property.
- (h) Possessing or using tobacco.
- (i) Committing an obscene act or engaging in habitual profanity or vulgarity.
- (j) Unlawful possession of or negotiating to sell any drug paraphernalia.
- (k) Disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (l) Knowingly receiving stolen school property or private property.
- (m) Possessing an imitation firearm.
- (n) Committing or attempting to commit a sexual assault.
- (o) Harassing, threatening, or intimidating a student witness, student, and/or school personnel.
- (p) Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in Education Code Section 32050 and Penal Code 245.6.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions 48900.2, 48900.3 or 48900.4, directed specifically toward a pupil or school personnel.

- (s) Acts that are enumerated in this section and related to school activity or attendance that occur at any time within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district including, but not limited to, any of the following:
 1. While on school grounds.
 2. While going to or coming from school.
 3. During the lunch period whether on or off the campus.
 4. During, or while going to, or coming from a school sponsored activity.
- (t) Aiding or abetting the infliction or attempted infliction of physical injury to another.
- (u) As used in this section, "school property" includes but is not limited to, electronic files and data bases.
- (v) For a pupil subject to discipline under this section the superintendent of the school district or principal may use discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in section 48900.5.
- (w) 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.

EC § 48915(c) - A student shall be recommended for expulsion who:

- (1) Possesses, sells, or otherwise furnishes a firearm.
- (2) Brandishes a knife at another person.
- (3) Unlawfully sells a controlled substance.
- (4) Commits or attempts to commit a sexual assault or commits a sexual battery.
- (5) Possesses an explosive.

Any pupil in possession of a firearm shall be expelled per Ed Code 48915.

Attendance of Suspended Pupil's Parent for Part of School Day - EC § 48900.1

Requires the Board of Education to establish a policy related to parents of suspended child attending pupil's classes.

Teacher Qualifications - In January 2002, a new federal law, the *No Child Left Behind Act of 2001* (NCLB), was passed by Congress. One element of the NCLB law is that parents have the right to request information regarding the professional qualifications of their child's teacher, including:

- Whether the teacher has met state credential or license criteria for grade level and subject matter taught;
- Whether the teacher is teaching under emergency or other provisional status;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held;
- Whether the child is provided services by paraprofessionals, and, if so, their qualifications.

Please request this information through your school principal. The request will be forwarded to the Personnel Services Department.

Temporary Disability - EC § 48206.3 - A pupil with a temporary disability, which makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or inadvisable, shall receive individual instruction provided by the district in which the pupil is deemed to reside.

Tolerance Policy - EC § 48900.5 - The Governing Board of the Claremont Unified School District, through the adoption of policy 5145 Tolerance, affirms the right for all students, staff and parents/guardians to be free from abusive statements, hate crimes, or any activity which degrades the unique qualities of an individual such as race, ethnicity, culture, heritage, sexuality, sexual orientation, physical/mental attributes, religious beliefs and practices. Such verbal or physical acts jeopardize the safe environment of the school, are damaging to self-esteem, and will not be tolerated in the educational setting.

The Board further recognizes that one of the district's educational objectives is to develop students who appreciate and respect diversity, understand the roles and contributions of people of diverse groups, and who are prepared to interact harmoniously, work productively, and thrive personally in a pluralistic society.

Students making hate crime statements, threats, committing physical assaults or damaging property are subject to disciplinary actions including suspension or recommendation for expulsion where appropriate.

Hate crimes are defined under specific penal code sections as an act or an attempted act by any person against the person or property of another individual or group which in any way constitutes an expression of hostility toward the victim because of his or her race, religion, disability, gender, ethnicity or sexual orientation. This includes, but is not limited to, threatening phone calls, hate mail, physical assault, vandalism, cross burning, destruction of religious symbols and fire bombings.

Transcripts - The High Schools will send the first two transcripts requested free of charge. Any transcripts after that, including the ones attached to staff recommendations, have a fee of \$5.00 each. A written parent permission form must be on file before any transcripts will be sent to any agency. For questions concerning transcripts, please contact Claremont Unified School District Student Services Department at (909) 398-0609 ext 75002.

Uniform Complaint Procedures for Addressing Alleged Violation of Specified Federal and State 5 CCR § 4622, EC 234.1, 32289 and 49013

The Uniform Complaint Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code section 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or

age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements as specified in Section 7114 of title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying, based on actual or perceived characters set forth in section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics; and 5) unlawful imposition of pupil fees for participation in educational activities in public schools.

A complaint must be filed no later than six months from the date the complainant first obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to Kevin Ward Assistant Superintendent, Human Resources who will coordinate an investigation and response within 60 days of receipt of the written complaint, unless the complainant agrees in writing to extend the time line. A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in **Section 4650 of Title 5 of the California Code of Regulations** exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district. If a district is found to have violated a state or federal law and/or regulation, and the District does not take corrective action to comply, then various civil remedies may be available. Contact Kevin Ward Assistant Superintendent, Human Resources at (909) 398-0609 Ext 70302 for additional information or assistance.

Violence and Vandalism - EC § 48909 & EC § 48910 - California law authorizes any school district to withhold the grades, diploma and transcripts of any pupil who willfully damages or defaces real or personal school property. The school district may provide a program of voluntary work for the minor in lieu of the payment of monetary damages. The District will follow the same procedure for due process as in suspension or expulsion.

Vision Screening - EC § 49451 & EC § 49455 - On first admission to school and at least every third year following up to the eighth grade, each student shall have his vision appraised by the school nurse. This may be waived upon receipt of a report from a physician, surgeon or an optometrist giving status of the child's visual acuity and color vision, or upon the parent or guardian's written statement that such examination is a violation of their religious beliefs. The provisions of 49451 apply here.

C.A.C. Title V. Sec. § 3302 - All parents have the right to initiate a referral for assessment to determine eligibility for special education programs. Such requests may be made by notifying in writing the Director of Special Education of such request and the behaviors that led to the parent's concern.

C.A.C. Title V - Any individual, public agency or organization may file a written complaint with the Superintendent of Public Instruction or the Superintendent of the concerned public education agency alleging a matter which, if true, would constitute a violation by that public agency of federal or state law or regulation governing Special Education or related services.

P.L. 99-372 - A court may award reasonable attorney fees to parents/guardian of a handicapped pupil who is the prevailing party in any action or proceeding brought under the procedural safeguards section (1415) of P.L. 94-142.

Claremont Unified School District Web Site: www.cusd.claremont.edu