



**Bolinas-Stinson Union School District**  
**125 Olema-Bolinas Road Bolinas, CA 94924**

**[bolinas-stinson.org](http://bolinas-stinson.org)**

**415 868 1603**

August 7, 2024

The Honorable Judge Mark Talamantes  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, CA 94913-4988

Rod Kerr, Foreperson  
Marin County Civil Grand Jury  
3501 Civic Center Drive, Room #275  
San Rafael, CA 94903

Re: Response to the Marin County Civil Grand Jury Report: *To Learn or Not to Learn: Are Children with Learning Differences Set Up for Success?*

Dear Judge Talamantes and Foreperson Kerr,

The Bolinas-Stinson Union School District has received the Marin County Civil Grand Jury Report *To Learn or Not to Learn: Are Children with Learning Differences Set Up for Success?* dated June 6, 2024. The Marin County Civil Grand Jury has requested a response to Findings 1-7 (F1-F7) and Recommendations 1-4 (R1-R4). Attached please find the provided *Response Form* and a detailed summary of the Bolinas-Stinson Union School District's responses.

Thank you for your interest in and support of the effective delivery of special education services in our public schools.

Sincerely,

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Leo Kostelnik  
Superintendent  
Bolinas-Stinson Union School District

## RESPONSE FORM: 2023-2024 Marin Civil Grand Jury Report

Report Title: \_\_\_\_\_

Respondent/Agency Name: \_\_\_\_\_

Submitter Name: \_\_\_\_\_ Title: \_\_\_\_\_

### FINDINGS

- Agree with the findings numbered: \_\_\_\_\_
- Disagree *partially* with the findings numbered: \_\_\_\_\_
- Disagree *wholly* with the findings numbered: \_\_\_\_\_

(Attach a **statement** specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

### RECOMMENDATIONS

- Recommendations numbered \_\_\_\_\_ have been implemented.  
(Attach a **summary** describing the implemented actions.)
- Recommendations numbered \_\_\_\_\_ have not yet been implemented, but will be implemented in the future.  
(Attach a **timeframe** for the implementation.)
- Recommendations numbered \_\_\_\_\_ require further analysis.  
(Attach an **explanation** and the scope and parameters of an analysis or study, and a **timeframe** for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This **timeframe shall not exceed six months** from the date of publication of the grand jury report.)
- Recommendations numbered \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
(Attach an **explanation**.)

Date: \_\_\_\_\_ Signed: Leo Kostelnik

Number of pages attached: 92

## District Response

### FINDINGS

- F1:** Communication with parents and guardians regarding special education services and resources at every child's development stage is critical to identifying whether children have learning differences.

**Response: Partially Agree**

The Bolinas Stinson Union School District agrees that communication with parents regarding the provision of special education services is critical; however, the initial communication with Bolinas Stinson Union School District parents/guardians regarding special education services takes place when all general education interventions have been exhausted or the student is demonstrating acute educational needs that likely could not be addressed without the provision of special education support and services - and not before. The Bolinas Stinson Union School District's communications with parents/guardians typically center on a child's present levels when compared to developmental milestones or age/grade level behavioral/academic expectations, not the provision of special education services - unless such discussions are warranted. The Bolinas Stinson Union School District's approach is driven by Education Code section 56303, which states that "a pupil shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate utilized."

To ensure that all parents and guardians are made aware of the availability of special education services, the Bolinas Stinson Union School District provides annual notice regarding special education and the Child Find process to all families of children enrolled within the district (see the 2024-2025 Bolinas Stinson Union School District's Annual Notice driven by California Education Code 56301 attached). Additionally, when general education supports are not successful in addressing a student's needs, and again consistent with California Education Code 56301, all children within the Bolinas Stinson Union School District who are *or* may be in need of special education and related services, are identified, located, and assessed. It is at this time, when the "Child Find" process has been initiated and a student is suspected of having a disability, that specific communication related to special education services takes place.

Once the Child Find process is activated, Bolinas Stinson Union School District parents/guardians receive a more explicit and lengthy communication that provides a full explanation of parent's special education rights within thirteen identified categories. That statement of rights, commonly referred to as "Procedural Safeguards," is provided to Bolinas Stinson Union School District parents upon initial referral for special education services and at least annually thereafter if the child is receiving special education services (see sample Procedural Safeguards attached).

All of the activities above permit the Bolinas Stinson Union School District to meet or exceed their Child Find obligations under state and federal law.

**F2:** Many school districts do not have sufficient information on their website to inform parents and guardians of their rights under federal and state laws to have their children assessed to determine whether they are entitled to special education services.

**Response: Partially Agree**

At the time the Grand Jury Report, *To Learn or Not to Learn: Are Children with Learning Differences Set Up for Success?*, was released, the Bolinas Stinson Union School District did have information about special education available on their website. With that said, there are currently no statutes, federal or state, that require school districts to post information on their website to inform parents/guardians of their rights under federal and/or state laws related to having their children assessed to determine special education eligibility. Although the Bolinas Stinson Union School District website does serve an important function related to generalized one-way communication with our school community, the Bolinas Stinson Union School District elects to communicate with families regarding the federal and state laws concerning special education in many other ways, such as in-person meetings, phone calls, student study teams meetings, and Individualized Education Program (IEP) meetings, etc.

**F3:** Each school district should have information on its website describing the services available for students with learning differences.

**Response: Partially Agree**

All parents/guardians should know what services are available to students with disabilities under the Individuals with Disabilities Education Act (IDEA). This is first accomplished by the Marin County Special Education Local Plan Area (SELPA) developing and adopting an annual special education service plan consistent with California Education Code 56205(b)(2). The plan (see attached Marin County SELPA 2024-2025 Service Plan) includes a description of special education services to be provided by the Bolinas Stinson Union School District, including the nature of the services and the physical location at which the services will be provided. Additionally, the Marin County SELPA has a description of special education programming available within Marin County school districts consistent with the California Education Code 56361 requirement for a continuum of special education programming options to be available within each SELPA. This information is updated on an annual basis and can be accessed on the Marin County SELPA website (see <https://selpa.marinschools.org/about-selpa>).

It would be misleading to attempt to describe the specific special education services available under the IDEA on the Bolinas Stinson Union School District's website. Every student with an Individualized Education Program (IEP) is unique and the range of services available to a student is dependent on the identified needs of the student and the recommendation(s) of the IEP team. By design, IEP service delivery is something that cannot be meaningfully prepackaged into a list or description. More importantly, posting a listing of possible IEP services available to students removes the "Individualized" from the IEP.

**F4:** The Special Education Information System is a valuable tool that, when used consistently, will increase the likelihood that students with learning differences will have their

Individualized Education Programs effectively administered, thereby increasing the chances of success for those students.

**Response: Partially Agree**

The Special Education Information System (SEIS) is a valuable tool that supports the Bolinas Stinson Union School District with online access to develop Individualized Education Programs (IEPs), manage special education data, submit California Longitudinal Pupil Achievement Data System (CALPADS) reports, and track Individualized Education Program (IEP) service delivery. However, there are no findings in the report that suggest that the use of SEIS specifically or exclusively is connected to an increase in the effective administration of IEPs, or in student success.

**F5:** Many school districts do not use the Special Education Information System to track whether the district has provided the service hours required by Individualized Education Programs.

**Response: Agree**

**F6:** Data is not available electronically in Marin school districts to ascertain whether the districts are providing the service hours required by their students' Individualized Education Programs.

**Response: Partially Agree**

While digital Individualized Education Program (IEP) service delivery data may not be available across all school districts in Marin County, the Bolinas Stinson Union School District is recording and tracking IEP service delivery on an individual student level. If a parent/guardian has a question regarding the delivery of services to their student, the parent/guardian may request records from the Bolinas Stinson Union School District to help determine if special education services are being delivered at the frequency and duration indicated in the last agreed upon IEP. The Bolinas Stinson Union School District will provide the requested information to the parent/guardian (electronically or otherwise) and work to address any reported discrepancies in service delivery, if needed.

**F7:** The co-teaching method can reduce the negative connotations of a special education class by including the resource specialist in the general education classroom to assist students with learning differences.

**Response: Partially Agree**

Co-teaching is one method of instruction to assist students with learning differences in the general education classroom that may work to reduce any negative connotations associated with special education service delivery.

**RECOMMENDATIONS**

**R1:** Each school district should inform parents and guardians at least annually about special

education services and resources available to their students, such as Matrix and the Special Education Local Plan Area.

**Response: The recommendation has been implemented**

This recommendation has been implemented. The Bolinas Stinson Union School District is currently providing notice to families annually about special education, including the facilitation of an annual Individualized Education Program (IEP) meeting with parents/guardians to discuss special education services.

- R2:** Each school district should develop and implement targeted communication strategies tailored to all parents and guardians regarding their student's rights concerning learning differences.

**Response: The recommendation has been implemented**

This recommendation has been implemented. The Bolinas Stinson Union School District is currently using a variety of targeted communication methods with parents/guardians, including emails, website postings, phone calls, and in-person conferences.

- R3:** Each school district should use the Special Education Information System service tracking module to track every student's Individualized Education Programs allocated service hours and the hours provided to each student.

**Response: The recommendation will be implemented**

There are no findings that suggest that the Bolinas Stinson Union School District is not effectively tracking Individualized Education Program (IEP) service delivery. Further, the Bolinas Stinson Union School District is using a service delivery tracking system consistent with the California Department of Education's guidelines (see attached). The Bolinas Stinson Union School District has reviewed the features available within the Special Education Information System (SEIS) service tracking module, and will transition from the district's current service tracking system to the SEIS service tracking module. This transition will take place in the fall of 2024.

- R4:** The Marin County Office of Education should analyze each school district's Individualized Education Programs compliance data and make the results available to the public in its annual report.

**Response: The recommendation will not be implemented**

As noted in this report on page 12, the California Department of Education is required to establish a rigorous data collection process and evaluation program for monitoring the delivery of special education services to students with Individualized Education Programs (IEPs). The responsibility for monitoring and analyzing service delivery rests with the California Department of Education.

## **Notice of Procedural Safeguards**

Special Education Rights of Parents and Children Under the Individuals with Disabilities Education Act, Part B, and the California Education Code.

**Revised June 2022**

Note: The term school district is used throughout this document to describe any public education agency responsible for providing your child’s special education program. The term assessment is used to mean evaluation or testing. Federal and state laws are cited throughout this notice using English abbreviations, which are explained in a glossary at the end of this notification.

### **What is the Notice of Procedural Safeguards?**

This information provides you as parents, legal guardians, and surrogate parents of children with disabilities from 3 years of age through age 21 and students who have reached age 18, the age of majority, with an overview of your educational rights or procedural safeguards.

The Notice of Procedural Safeguards is required under the Individuals with Disabilities Education Act (IDEA) and must be provided to you:

- When you ask for a copy
- The first time your child is referred for a special education assessment
- Each time you are given an assessment plan to evaluate your child
- Upon receipt of the first state or due process complaint in a school year, and
- When the decision is made to make a removal that constitutes a change of placement

(20 *United States Code [USC]* Section 1415[d]; 34 *Code of Federal Regulations [CFR]* Section 300.504; California *Education Code [EC]* Section 56301[d] [2], *EC* Section 56321, and *EC* Section 56341.1[g] [1])

### **What is the IDEA?**

IDEA is a federal law that requires school districts to provide a “free appropriate public education” (FAPE) to eligible children with disabilities. A free appropriate public

education means that special education and related services are to be provided as described in an individualized education program (IEP) and under public supervision to your child at no cost to you.

### **May I participate in decisions about my child's education?**

You must be given the opportunity to participate in any decision-making meeting regarding your child's special education program. You have the right to participate in IEP team meetings about the identification (eligibility), assessment, or educational placement of your child and other matters relating to your child's FAPE. (20 USC Section 1414[d] [1]B–[d][1][D]; 34 CFR Section 300.321; EC Section 56341[b], and EC Section 56343[c])

The parent or guardian, and the local educational agency (LEA), has the right to participate in the development of the IEP and to initiate their intent to electronically audiotape the proceedings of the IEP team meetings. At least 24 hours prior to the meeting, the parent or guardian shall notify the members of the IEP team of their intent to record a meeting. If the parent or guardian does not consent to the LEA audiotape recording an IEP meeting, the meeting shall not be recorded on an audiotape recorder.

Your rights include information about the availability of FAPE, including all program options, and all available alternative programs, both public and nonpublic. (20 USC sections 1401[3], and 1412[a][3]; 34 CFR Section 300.111; EC sections 56301, 56341.1[g][1], and 56506)

### **Where can I get more help?**

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

You may also want to contact one of the California parent organizations such as the Family Empowerment Centers on Disability (FECs) or the Parent Training and Information Centers (PTICs) located across the state. These organizations were established to increase collaboration between parents and educators to improve the educational system and provide information, training, and additional resources for families of students and young adults with disabilities. Contact information for these organizations is found on the California Department of Education (CDE) Special

Education California Parent Organizations web page at  
<https://www.cde.ca.gov/sp/se/qa/caprntorg.asp>.

Additional resources are listed at the end of this document to help you understand the procedural safeguards.

### **What if my child is deaf, hard of hearing, blind, visually impaired, or deaf-blind?**

The State Special Schools provide services to students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind at each of its three facilities: the California Schools for the Deaf in Fremont and Riverside and at the California School for the Blind in Fremont. Residential and day school programs are offered to students from infancy to age 21 at both State Schools for the Deaf. Such programs are offered to students aged 5 through 21 at the California School for the Blind. The State Special Schools also offer assessment services and technical assistance. For more information about the State Special Schools, please visit the CDE, State Special Schools web page at <https://www.cde.ca.gov/sp/ss/index.asp>, or ask for more information from the members of your child's IEP team.

## **Notice, Consent, Assessment, Surrogate Parent Appointment, and Access to Records**

### **Prior Written Notice**

#### **When is a notice needed?**

This notice must be given when the school district proposes or refuses to initiate a change in the identification, assessment, or educational placement of your child with special needs or the provision of a FAPE. (20 *USC* sections 1415[b][3] and (4), 1415[c][1], and 1414[b][1]; 34 *CFR* Section 300.503; *EC* sections 56329 and 56506[a])

The school district must inform you about proposed evaluations of your child in a written notice or an assessment plan within 15 days of your written request for evaluation. The notice must be understandable and in your native language or other mode of communication, unless it is clearly not feasible to do so. (34 *CFR* Section 300.304; *EC* Section 56321)

## **What will the notice tell me?**

The prior written notice must include the following:

1. A description of the actions proposed or refused by the school district
2. An explanation of why the action was proposed or refused
3. A description of each assessment procedure, record, or report the agency used as a basis for the action proposed or refused
4. A statement that parents of a child with a disability have protection under the procedural safeguards
5. Sources for parents to contact to obtain assistance in understanding the provisions of this part
6. A description of other options that the IEP team considered and the reasons those options were rejected; and
7. A description of any other factors relevant to the action proposed or refused. (20 *USC* sections 1415[b][3] and [4], 1415[c][1], and 1414[b][1]; 34 *CFR* Section 300.503)

## **Parental Consent**

### **When is my approval required for assessment?**

You have the right to refer your child for special education services. You must give informed, written consent before your child's first special education assessment can proceed. The parent has at least 15 days from the receipt of the proposed assessment plan to arrive at a decision. The assessment may begin immediately upon receipt of the consent and must be completed and an IEP developed within 60 days of your consent.

### **When is my approval required for services?**

You must give informed, written consent before your school district can provide your child with special education and related services.

### **What are the procedures when a parent does not provide consent?**

If you do not provide consent for an initial assessment or fail to respond to a request to provide the consent, the school district may pursue the initial assessment by utilizing due process procedures.

If you refuse to consent to the initiation of services, the school district must not provide special education and related services and shall not seek to provide services through due process procedures.

If you consent in writing to the special education and related services for your child but do not consent to all of the components of the IEP, those components of the program to which you have consented must be implemented without delay.

If the school district determines that the proposed special education program component to which you do not consent is necessary to provide a FAPE to your child, a due process hearing must be initiated. If a due process hearing is held, the hearing decision shall be final and binding.

In the case of reevaluations, the school district must document reasonable measures to obtain your consent. If you fail to respond, the school district may proceed with the reevaluation without your consent. (20 *USC* sections 1414[a][1][D] and 1414[c]; 34 *CFR* Section 300.300; *EC* sections 56506[e], 56321[c] and [d], and 56346).

### **When may I revoke consent?**

If at any time subsequent to the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the public agency:

1. May not continue to provide special education and related services to the child, but must provide prior written notice in accordance with 34 *CFR* Section 300.503 before ceasing such services
2. May not use the procedures in subpart E of Part 300 34 *CFR* (including the mediation procedures under 34 *CFR* Section 300.506 or the due process procedures under 34 *CFR* Sections 300.507 through 300.516) in order to obtain agreement or a ruling that the services may be provided to the child
3. Will not be considered to be in violation of the requirement to make a FAPE available to the child because of the failure to provide the child with further special education and related services

4. Is not required to convene an IEP team meeting or develop an IEP under 34 *CFR* sections 300.320 and 300.324 for the child for further provision of special education and related services

Please note, in accordance with 34 *CFR* Section 300.9 (c)(3), that if the parents revoke consent in writing for their child's receipt of special education services after the child is initially provided special education and related services, the public agency is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

## **Surrogate Parent Appointment**

### **What if a parent cannot be identified or located?**

School districts must ensure that an individual is assigned to act as a surrogate parent for the parents of a child with a disability when a parent cannot be identified and the school district cannot discover the whereabouts of a parent.

A surrogate parent may also be appointed if the child is an unaccompanied homeless youth, an adjudicated dependent or ward of the court under the state Welfare and Institution Code, and is referred to special education or already has an IEP. (20 *USC* Section 1415[b][2]; 34 *CFR* Section 300.519; *EC* Section 56050; *Government Code* Section 7579.5 and 7579.6)

## **Nondiscriminatory Assessment**

### **How is my child assessed for special education services?**

You have the right to have your child assessed in all areas of suspected disability. Materials and procedures used for assessment and placement must not be racially, culturally, or sexually discriminatory.

Assessment materials must be provided and the test administered in your child's native language or mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer.

No single procedure can be the sole criterion for determining eligibility and developing FAPE for your child. (20 *USC* sections 1414[b][1]–[3], 1412[a][6][B]; 34 *CFR* Section 300.304; *EC* sections 56001[j] and 56320)

## **Independent Educational Assessments**

### **May my child be tested independently at the district's expense?**

If you disagree with the results of the assessment conducted by the school district, you have the right to ask for and obtain an independent educational assessment for your child from a person qualified to conduct the assessment at public expense.

The parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees.

The school district must respond to your request for an independent educational assessment and provide you information about where to obtain an independent educational assessment.

If the school district believes that the district's assessment is appropriate and disagrees that an independent assessment is necessary, the school district must request a due process hearing to prove that its assessment was appropriate. If the district prevails, you still have the right to an independent assessment but not at public expense. The IEP team must consider independent assessments.

District assessment procedures allow in-class observation of students. If the school district observes your child in his or her classroom during an assessment, or if the school district would have been allowed to observe your child, an individual conducting an independent educational assessment must also be allowed to observe your child in the classroom.

If the school district proposes a new school setting for your child and an independent educational assessment is being conducted, the independent assessor must be allowed to first observe the proposed new setting. (20 *USC* sections 1415[b][1] and [d][2][A]; 34 *CFR* Section 300.502; *EC* Section 56329[b] and [c])

## **Access to Educational Records**

### **May I examine my child's educational records?**

You have a right to inspect and review all of your child's education records without unnecessary delay, including prior to a meeting about your child's IEP or before a due process hearing. The school district must provide you access to records and copies, if requested, within five **business** days after the request has been made orally or in writing. (*EC* sections 49060, 56043[n], 56501[b][3], and 56504)

## **How Disputes Are Resolved**

### **Due Process Hearing**

#### **When is a due process hearing available?**

You have the right to request an impartial due process hearing regarding the identification, assessment, and educational placement of your child or the provision of FAPE. The request for a due process hearing must be filed within two years from the date you knew or should have known about the alleged action that forms the basis of the due process complaint. (20 *USC* Section 1415[b][6]; 34 *CFR* Section 300.507; *EC* sections 56501 and 56505[1])

### **Mediation and Alternative Dispute Resolution**

#### **May I request mediation or an alternative way to resolve the dispute?**

A request for mediation may be made either before or after a request for a due process hearing is made.

You may ask the school district to resolve disputes through mediation or alternative dispute resolution (ADR), which is less adversarial than a due process hearing. The ADR and mediation are voluntary methods of resolving a dispute and may not be used to delay your right to a due process hearing.

#### **What is a pre-hearing mediation conference?**

You may seek resolution through mediation prior to filing a request for a due process hearing. The conference is an informal proceeding conducted in a nonadversarial manner to resolve issues relating to the identification, assessment, or educational placement of a child or to a FAPE.

At the prehearing mediation conference, the parent or the school district may be accompanied and advised by nonattorney representatives and may consult with an attorney prior to or following the conference. However, requesting or participating in a prehearing mediation conference is not a prerequisite to requesting a due process hearing.

All requests for a prehearing mediation conference shall be filed with the Superintendent of the Office of Administrative Hearings (OAH). The party initiating a

prehearing mediation conference by filing a written request with the Superintendent of the OAH shall provide the other party to the mediation with a copy of the request at the same time the request is filed.

The prehearing mediation conference shall be scheduled within 15 days of receipt by the Superintendent of the OAH of the request for mediation and shall be completed within 30 days after receipt of the request for mediation unless both parties agree to extend the time. If a resolution is reached, the parties shall execute a legally binding written agreement that sets forth the resolution. All discussions during the mediation process shall be confidential. All prehearing mediation conferences shall be scheduled in a timely manner and held at a time and place reasonably convenient to the parties. If the issues fail to be resolved to the satisfaction of all parties, the party who requested the mediation conference has the option of filing for a due process hearing. (*EC* sections 56500.3 and 56503)

## **Due Process Rights**

### **What are my due process rights?**

You have a right to:

1. Have a fair and impartial administrative hearing at the state level before a person who is knowledgeable of the laws governing special education and administrative hearings (20 *USC* sections 1415[f][1][A], and 1415[f][3][A]-[D]; 34 *CFR* Section 300.511; *EC* Section 56501[b][4])
2. Be accompanied and advised by an attorney and/or individuals who have knowledge about children with disabilities (*EC* Section 56505 [e][1])
3. Present evidence, written arguments, and oral arguments (*EC* Section 56505[e][2])
4. Confront, cross-examine, and require witnesses to be present (*EC* Section 56505[e][3])
5. Receive a written or, at the option of the parent, an electronic verbatim record of the hearing, including findings of fact and decisions (*EC* Section 56505[e][4])
6. Have your child present at the hearing (*EC* Section 56501[c][1])
7. Have the hearing be open or closed to the public (*EC* Section 56501[c][2])
8. Receive a copy of all documents, including assessments completed by that date and recommendations, and a list of witnesses and their general area of testimony

within five (5) business days before a hearing (*EC* sections 56505[e][7] and 56043[v])

9. Be informed by the other parties of the issues and their proposed resolution of the issues at least ten (10) calendar days prior to the hearing (*EC* Section 56505[e][6])
10. Have an interpreter provided (*California Code of Regulations*, Title 5 (5 *CCR*) Section 3082[d])
11. Request an extension of the hearing timeline (*EC* Section 56505[f][3])
12. Have a mediation conference at any point during the due process hearing (*EC* Section 56501[b][2]), and
13. Receive notice from the other party at least ten days prior to the hearing that the other party intends to be represented by an attorney (*EC* Section 56507[a]). (20 *USC* Section 1415[e]; 34 *CFR* sections 300.506, 300.508, 300.512 and 300.515)

## **Filing a Written Due Process Complaint**

### **How do I request a due process hearing?**

You need to file a written request for a due process hearing. You or your representative needs to submit the following information in your request:

1. Name of the child
2. Address of the residence of the child
3. Name of the school the child is attending
4. In the case of a homeless child, available contact information for the child and the name of the school the child is attending, and
5. A description of the nature of the problem, including facts relating to the problem(s) and a proposed resolution of the problem(s)

Federal and state laws require that either party filing for a due process hearing must provide a copy of the written request to the other party. (20 *USC* sections 1415[b][7], and 1415[c][2]; 34 *CFR* Section 300.508; *EC* Section 56502[c][1])

Prior to filing for a due process hearing, the school district shall be provided the opportunity to resolve the matter by convening a resolution session, which is a meeting between the parents and the relevant members of the IEP team who have specific

knowledge of the facts identified in the due process hearing request. (20 *USC* Section 1415[f][1][B]; 34 *CFR* Section 300.510)

### **What does a resolution session include?**

Resolution sessions shall be convened within 15 days of receiving notice of the parents' due process hearing request. The sessions shall include a representative of the school district who has decision-making authority and not include an attorney of the school district unless the parent is accompanied by an attorney. The parent of the child may discuss the due process hearing issue and the facts that form the basis of the due process hearing request.

The resolution session is not required if the parent and the school district agree in writing to waive the meeting. If the school district has not resolved the due process hearing issue within 30 days, the due process hearing may occur. If a resolution is reached, the parties shall execute a legally binding agreement. (20 *USC* Section 1415[f][1][B]; 34 *CFR* Section 300.510)

### **Does my child's placement change during the proceedings?**

The child involved in any administrative or judicial proceeding must remain in the current educational placement unless you and the school district agree on another arrangement. If you are applying for initial admission of your child to a public school, your child will be placed in a public school program with your consent until all proceedings are completed. (20 *USC* Section 1415[j]; 34 *CFR* Section 300.518; *EC* Section 56505[d])

### **May the decision be appealed?**

The hearing decision is final and binding on both parties. Either party may appeal the hearing decision by filing a civil action in state or federal court within 90 days of the final decision. (20 *USC* sections 1415[i][2] and [3][A], and 1415[l]; 34 *CFR* Section 300.516; *EC* Section 56505[h] and [k], *EC* Section 56043[w])

### **Who pays for my attorneys' fees?**

In any action or proceeding regarding the due process hearing, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to you as parent of a child with a disability if you are the prevailing party in the hearing. Reasonable attorneys' fees may also be made following the conclusion of the administrative hearing,

with the agreement of the parties. (20 *USC* Section 1415[i][3][B]–[G]; 34 *CFR* Section 300.517; *EC* Section 56507[b])

Fees may be reduced if any of the following conditions prevail:

1. The court finds that you unreasonably delayed the final resolution of the controversy
2. The attorneys' hourly fees exceed the prevailing rate in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience
3. The time spent and legal services provided were excessive, or
4. Your attorney did not provide to the school district the appropriate information in the due process request notice.

Attorneys' fees will not be reduced, however, if the court finds that the State or the school district unreasonably delayed the final resolution of the action or proceeding or that there was a violation of this section of law. (20 *USC* Section 1415[i][3][B]–[G]; 34 *CFR* Section 300.517)

Attorneys' fees relating to any meeting of the IEP team may not be awarded unless an IEP team meeting is convened as a result of a due process hearing proceeding or judicial action. Attorneys' fees may also be denied if you reject a reasonable settlement offer made by the district/public agency 10 days before the hearing begins and the hearing decision is not more favorable than the offer of settlement. (20 *USC* Section 1415[i][3][B]–[G]; 34 *CFR* Section 300.517)

**To obtain more information or to file for mediation or a due process hearing, contact:**

[Office of Administrative Hearings  
Attention: Special Education Division  
2349 Gateway Oaks Drive, Suite 200  
Sacramento, CA 95833-4231  
Phone: 916-263-0880  
Fax: 916-263-0890]

The OAH can also be contacted by email using the Secure e-File Transmission (SFT) system. The SFT may be found on OAH's website at <https://www.applications.dgs.ca.gov/OAH/oahSFTWeb>

School Discipline and Placement Procedures for Students with Disabilities

## **School Discipline and Alternative Interim Educational Settings**

### **May my child be suspended or expelled?**

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of student conduct from his or her setting to:

- An appropriate interim alternative education setting, another setting, or suspension for not more than 10 consecutive school days
- Additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct

### **What occurs after a removal of more than 10 days?**

After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the public agency must provide services to enable the child to continue to participate in the general education curriculum and progress toward meeting the goals set out in the child's IEP. Also, a child will receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur.

If a child exceeds 10 days in such a placement, an IEP team meeting must be held to determine whether the child's misconduct is caused by the disability. This IEP team meeting must take place immediately, if possible, or within 10 days of the school district's decision to take this type of disciplinary action.

As a parent you will be invited to participate as a member of this IEP team. The school district may be required to develop an assessment plan to address the misconduct or, if your child has a behavior intervention plan, review and modify the plan as necessary.

### **What happens if the IEP team determines that the misconduct is not caused by the disability?**

If the IEP team concludes that the misconduct was not a manifestation of the child's disability, the school district may take disciplinary action, such as expulsion, in the same manner as it would for a child without a disability. (20 USC Section 1415[k][1] and [7]; 34 CFR Section 300.530)

If you disagree with the IEP team's decision, you may request an expedited due process hearing, which must occur within 20 school days of the date on which you requested the hearing. (20 *USC* Section 1415[k][2]; 34 *CFR* Section 300.531[c])

Regardless of the setting the school district must continue to provide FAPE for your child. Alternative educational settings must allow the child to continue to participate in the general curriculum and ensure continuation of services and modifications detailed in the IEP. (34 *CFR* Section 300.530; *EC* Section 48915.5[b])

## **Children Attending Private School**

### **May students who are parentally placed in private schools participate in publicly funded special education programs?**

Children who are enrolled by their parents in private schools may participate in publicly funded special education programs. The school district must consult with private schools and with parents to determine the services that will be offered to private school students. Although school districts have a clear responsibility to offer FAPE to students with disabilities, those children, when placed by their parent in private schools, do not have the right to receive some or all of the special education and related services necessary to provide FAPE. (20 *USC* Section 1415[a][10][A]; 34 *CFR* sections 300.137 and 300.138; *EC* Section 56173)

If a parent of an individual with exceptional needs who previously received special education and related services under the authority of the school district enrolls the child in a private elementary school or secondary school without the consent of or referral by the local educational agency, the school district is not required to provide special education if the district has made FAPE available. A court or a due process hearing officer may require the school district to reimburse the parent or guardian for the cost of special education and the private school only if the court or due process hearing officer finds that the school district had not made FAPE available to the child in a timely manner prior to that enrollment in the private elementary school or secondary school and that the private placement is appropriate. (20 *USC* Section 1412[a][10][C]; 34 *CFR* Section 300.148; *EC* Section 56175)

### **When may reimbursement be reduced or denied?**

The court or hearing officer may reduce or deny reimbursement if you did not make your child available for an assessment upon notice from the school district before removing your child from public school. You may also be denied reimbursement if you did not inform the school district that you were rejecting the special education placement

proposed by the school district, including stating your concerns and intent to enroll your child in a private school at public expense.

Your notice to the school district must be given either:

- At the most recent IEP team meeting you attended before removing your child from the public school, or
- In writing to the school district at least 10 business days (including holidays) before removing your child from the public school. (20 USC Section 1412[a][10][C]; 34 CFR Section 300.148; EC Section 56176)

### **When may reimbursement not be reduced or denied?**

A court or hearing officer must not reduce or deny reimbursement to you if you failed to provide written notice to the school district for any of the following reasons:

- The school prevented you from providing notice
- You had not received a copy of this Notice of Procedural Safeguards or otherwise been informed of the requirement to notify the district
- Providing notice would likely have resulted in physical harm to your child
- Illiteracy and inability to write in English prevented you from providing notice, or
- Providing notice would likely have resulted in serious emotional harm to your child

(20 USC Section 1412[a] [10] [C]; 34 CFR Section 300.148; EC Section 56177)

### **State Complaint Procedures**

#### **When may I file a state compliance complaint?**

You may file a state compliance complaint when you believe that a school district has violated federal or state special education laws or regulations. Your written complaint must specify at least one alleged violation of federal and state special education laws. The violation must have occurred not more than one year prior to the date the complaint is received by the CDE. When filing a complaint, you must forward a copy of the complaint to the school district at the same time you file a state compliance complaint with the CDE. (34 CFR Section 300.151–153; 5 CCR Section 4600)

Complaints alleging violations of federal and state special education laws or regulations may be mailed to:

[California Department of Education  
Special Education Division  
Complaint Support Unit  
1430 N Street, Suite 2401  
Sacramento, CA 95814]

You may also email your complaint to [speceducation@cde.ca.gov](mailto:speceducation@cde.ca.gov)

For complaints involving issues not covered by federal or state special education laws or regulations, consult your district's uniform complaint procedures.

To obtain more information about dispute resolution, including how to file a complaint, contact the CDE, Special Education Division, Complaint Support Unit, by telephone at 800-926-0648; by fax at 916-327-3704; or by visiting the CDE, Special Education web page at <https://www.cde.ca.gov/sp/se/index.asp>.

## Senate Bill 511, Family Empowerment Centers

### Background

The Family Empowerment Centers (FECs) were established in 2001 by enactment of Chapter 690 of the Statutes of 2001 (Senate Bill 511, Alpert), enacted as *Education Code (EC)* 56400-56415. The FECs provide services to families with children with disabilities ages three to twenty-two. The intent of the legislature is to ensure that parents, guardians, and families of children and young adults with disabilities have access to accurate information, specialized training, and peer-to-peer support.

### FEC Contact and Service Information

Organization	Counties Served	Website
Ability Path's Family Resource Center of San Mateo County	San Mateo	<a href="https://www.smcfrc.org/">https://www.smcfrc.org/</a>

<b>Organization</b>	<b>Counties Served</b>	<b>Website</b>
Alpha Family Resource Center	Santa Barbara	<a href="https://alphasb.org/">https://alphasb.org/</a>
Exceptional Family Resource Center (EFRC)	Imperial, San Diego	<a href="https://efrconline.org/">https://efrconline.org/</a>
Exceptional Parents Unlimited (EPU)	Fresno, Kings	<a href="https://www.epuchildren.org/">https://www.epuchildren.org/</a>
Exceptional Parents Unlimited (EPU)	Madera	<a href="https://www.epuchildren.org/">https://www.epuchildren.org/</a>
Family Focus Resource and Empowerment Center	North Los Angeles (San Fernando, Santa Clarita, Antelope Valley)	<a href="https://csun.edu/family-focus-resource-center">https://csun.edu/family-focus-resource-center</a>
Family Resource Navigators	Alameda	<a href="https://familyresourcenavigators.org/">https://familyresourcenavigators.org/</a>
Family SOUP	Colusa, Sutter, Yuba	<a href="http://www.familysoup.org/">http://www.familysoup.org/</a>
H.E.A.R.T.S. Connection Family Resource Center and Empowerment Center	Kern	<a href="http://www.heartsfrc.org/">http://www.heartsfrc.org/</a>
Heluna Health/Eastern Los Angeles Family Resource Center	Los Angeles (Alhambra, Arcadia, Boyle Heights, City Terrace, Commerce, East Los Angeles, East Pasadena, El Sereno, Eagle Rock/Highland Park, La Habra Heights, La Mirada, Lincoln Heights, Montebello, Monterey Park, Mount Washington, Pico Rivera, Rosemead, San Gabriel, San Marino, South Pasadena, Santa Fe Springs, Temple City, Whittier)	<a href="https://www.helunahealth.org/partners/eastern-los-angeles-regional-family-resource-center/">https://www.helunahealth.org/partners/eastern-los-angeles-regional-family-resource-center/</a>
Matrix Parent Network & Resource Center	Napa, Solano, Sonoma	<a href="https://www.matrixparents.org/">https://www.matrixparents.org/</a>
Matrix Parent Network	Marin	<a href="https://www.matrixparents.org/">https://www.matrixparents.org/</a>
Parents Helping Parents, Inc.	Santa Clara	<a href="https://www.php.com/">https://www.php.com/</a>
Parents Helping Parents San Luis Obispo	San Luis Obispo	<a href="http://www.php slo.org/">http://www.php slo.org/</a>

Organization	Counties Served	Website
The Parents' Place Family Resource Center	Los Angeles (San Gabriel Valley, Pomona)	<a href="http://www.parentsplacefrc.com/">http://www.parentsplacefrc.com/</a>
Plumas Rural Services, Inc.	Lassen, Modoc, Plumas, Sierra	<a href="https://www.plumasruralservices.org/">https://www.plumasruralservices.org/</a>
Rowell Family Empowerment of Northern California (RFENC)	Butte, Glenn, Shasta, Siskiyou, Tehama, Trinity	<a href="https://rfenc.org/Home/">https://rfenc.org/Home/</a>
South Central Los Angeles Regional Center (McClaney Family Resource Center)	Los Angeles (South Los Angeles including: Watts, Leimert Park, Florence/Firestone, West Adams, Bell, Bell Gardens, Compton, Cudahy, Downey, Huntington Park, Lynwood, Maywood, Vernon, South Gate, North Carson, Gardena, Paramount)	<a href="https://sclarc.org/">https://sclarc.org/</a>
Special Kids Connect	Monterey	<a href="https://specialkidsconnect.org/">https://specialkidsconnect.org/</a>
Special Parents Information Network (SPIN)	San Benito, Santa Cruz	<a href="https://www.spin.org/">https://www.spin.org/</a>
Support for Families of Children with Disabilities	San Francisco	<a href="https://www.supportforfamilies.org/">https://www.supportforfamilies.org/</a>
Team of Advocates for Special Kids, Inc. (TASK)	Orange	<a href="https://taskca.org/">https://taskca.org/</a>
Team of Advocates for Special Kids, Inc. (TASK)	Los Angeles (Artesia, Avalon, Bellflower, Carson, Cerritos, Harbor City, Harbor Gateway, Hawaiian Gardens, Hermosa Beach, Lakewood, Lomita, Long Beach, Manhattan Beach, Norwalk, Palos Verdes Estates, Rancho, Palos Verdes, Rolling Hills, San Pedro, Signal Hill, Torrance, Wilmington)	<a href="https://taskca.org/">https://taskca.org/</a>

<b>Organization</b>	<b>Counties Served</b>	<b>Website</b>
Team of Advocates for Special Kids, Inc. (TASK)	Los Angeles (Signal Hill, Long Beach, Catalina Island)	<a href="https://taskca.org/">https://taskca.org/</a>
Team of Advocates for Special Kids, Inc. (TASK)	Los Angeles (Lakewood, East Lakewood, Hawaiian Gardens, Bellflower, Norwalk/Little Lake, Artesia, Cerritos)	<a href="https://taskca.org/">https://taskca.org/</a>
Warmline Family Resource Center	Alpine, El Dorado, Nevada, Placer, Sacramento, Yolo	<a href="http://www.warmlinefrc.org/">http://www.warmlinefrc.org/</a>
Westside Family Resource Center	West Los Angeles	<a href="http://wfrec.org/">http://wfrec.org/</a>

## **Glossary of Abbreviations Used in This Notification**

ADR: Alternative Dispute Resolution

*CFR: Code of Federal Regulations*

*EC: California Education Code*

FAPE: Free Appropriate Public Education

FEC: Family Empowerment Center on Disability

IDEA: Individuals with Disabilities Education Act

IEP: Individualized Education Program

PTIC: Parent Training and Information Center

OAH: Office of Administrative Hearings

SELPA: Special Education Local Plan Area

*USC: United States Code*

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

**LOCAL PLAN**  
**Section E: Annual Service Plan**  
**SPECIAL EDUCATION LOCAL PLAN AREA**



California Department of Education

Special Education Division

Local Plan Annual Submission

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## Local Plan Section E: Annual Service Plan

California *Education Code (EC)* sections 56205(b)(2) and (d); 56001; and 56195.9

The Local Plan Section E: Annual Service Plan must be adopted at a public hearing held by the SELPA. Notice of this hearing shall be posted in each school in the SELPA at least 15 days before the hearing. Local Plan Section E: Annual Service Plan may be revised during any fiscal year according to the SELPA's process as established and specified in Section B: Governance and Administration portion of the Local Plan consistent with *EC* sections 56001(f) and 56195.9. Local Plan Section E: Annual Service Plan must include a description of services to be provided by each local educational agency (LEA), including the nature of the services and the physical location where the services are provided (Attachment VI), regardless of whether the LEA is participating in the Local Plan.

### Services Included in the Local Plan Section E: Annual Service Plan

All entities and individuals providing related services shall meet the qualifications found in Title 34 of the *Code of Federal Regulations (34 CFR)* Section 300.156(b), Title 5 of the *California Code of Regulations (5 CCR)* 3001(r) and the applicable portions 3051 et. seq.; and shall be either employees of an LEA or county office of education (COE), employed under contract pursuant to *EC* sections 56365-56366, or employees, vendors or contractors of the State Departments of Health Care Services or State Hospitals, or any designated local public health or mental health agency. Services provided by individual LEAs and school sites are to be included in **Attachment VI**.

**Include a description each service provided. If a service is not currently provided, please explain why it is not provided and how the SELPA will ensure students with disabilities will have access to the service should a need arise.**

- 330–Specialized Academic Instruction/  
Specially Designed Instruction

Provide a detailed description of the services to be provided under this code.

Adapting, as appropriate, to the needs of the child with a disability the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children. (34 CFR 300.39 (b) (3))

*Service is Not Currently Provided*

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- 210–Family Training, Counseling, Home Visits (Ages 0-2 only)  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

This service includes: services provided by social workers, psychologists, or other qualified personnel to assist the family in understanding the special needs of the child and enhancing the child's development.

- 220–Medical (Ages 0-2 only)  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Medical services (for evaluation only) (ages 0-2 only): Services provided by a licensed physician to determine a child's developmental status and need for early intervention services.

- 230–Nutrition (Ages 0-2 only)  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services include conducting assessments in: nutritional history and dietary intake; anthropometric, biochemical, and clinical variables; feeding skills and feeding problems; and food habits and food preferences.

- 240–Service Coordination (Ages 0-2 only)  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

The coordination of service delivery, distribution of reports, and IFSP meeting facilitation.

- 250–Special Instruction (Ages 0-2 only)  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Special instruction includes: the design of learning environments and activities that promote the child's acquisition of skills in a variety of developmental areas, including cognitive processes and social interaction; curriculum planning, including the planned interaction of personnel, materials, and time and space, that leads to achieving the outcomes in the child's IFSP; providing families with information, skills, and support related to enhancing the skill development of the child; and working with the child to enhance the child's development.

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260–Special Education Aide (Ages 0-2 only)       *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

270–Respite Care (Ages 0-2 only)       *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

340–Intensive Individual Instruction

Provide a detailed description of the services to be provided under this code.

*Service is Not Currently Provided*

350–Individual and Small Group Instruction

Provide a detailed description of the services to be provided under this code.

*Service is Not Currently Provided*

415–Speech and Language       *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

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articulation (excluding abnormal swallowing patterns, if that is the sole assessed disability); abnormal voice quality, pitch, or loudness; fluency; hearing loss; or the acquisition, comprehension, or expression of spoken language. Language deficits or speech patterns resulting from unfamiliarity with the English language and from environmental, economic, or cultural factors are not included. Services include: specialized instruction and services, monitoring, reviewing, and consultation. Services may be direct or indirect including the use of a speech consultant.

425–Adapted Physical Education

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Direct physical education services provided by an adapted physical education specialist to pupils who have needs that cannot be adequately satisfied in other physical education programs as indicated by assessment and evaluation of motor skills performance and other areas of need. It may include individually designed developmental activities, games, sports and rhythms, for strength development and fitness suited to the capabilities, limitations, and interests of individual students with disabilities who may not safely, successfully, or meaningfully engage in unrestricted participation in the vigorous activities of the general or modified by physical education program.

435–Health and Nursing: Specialized Physical Health Care

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Specialized physical health care services means those health services prescribed by the child's licensed physician and/or surgeon, requiring medically related training of the individual who performs the services and which are necessary during the school day to enable the child to attend school (CCR §3051.12(b)(10(A))). Specialized physical health care services include but are not limited to suctioning, oxygen administration, catheterization, nebulizer treatments, insulin administration and glucose testing (CEC 49423.5 (d)).

436–Health and Nursing: Other

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

This includes service that are provided to individuals with exceptional needs by a qualified individual pursuant to an IEP when a student has health problems which require nursing intervention beyond basic school health services. Services include managing the health problem, consulting with staff, group and individual counseling, making appropriate referrals, and maintaining communication with agencies and health care providers. These services do

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not include any physician-supervised or specialized health care service. IEP-required health and nursing services are expected to supplement the regular health services program. (34 CFR 300.34; CCR Title 5 §3051.12 (a)).

445–Assistive Technology  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Any specialized training or technical support for the incorporation of assistive devices, adapted computer technology, or specialized media with the educational programs to improve access for students. The term includes a functional analysis of the student's needs for assistive technology; selecting, designing, fitting, customizing, or repairing appropriate devices; coordinating services with assistive technology devices; training or technical assistance for students with a disability, the student's family, individuals providing education or rehabilitation services, and employers. (34 CFR Part 300.6).

450–Occupational Therapy  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Occupational Therapy (OT) includes services to improve student's educational performance, postural stability, self-help abilities, sensory processing and organization, environmental adaptation and use of assistive devices, motor planning and coordination, visual perception and integration, social and play abilities, and fine motor abilities. Both direct and indirect services may be provided within the classroom, other educational settings or the home; in a group or on an individual basis; and may include therapeutic techniques to develop abilities; adaptations to the student's environment or curriculum; and consultation and collaboration with other staff and parents. Service are provided, pursuant to an IEP, by a qualified occupational therapist registered with American Occupational Therapy Certification Board. (CCR Title 5 §.3051.6, EC Part 30 §56363).

460–Physical Therapy  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services are provided, pursuant to an IEP, by a registered physical therapist, or physical therapist assistant, when assessment shows a discrepancy between gross motor performance and other educational skills. Physical therapy includes, but is not limited to, motor control and coordination, posture and balance, self-help, functional mobility, accessibility and use of assistive devices. Services may be provided within the classroom, other educational settings or in the home; and may occur in groups or individually. These services may include

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adaptations to the student's environment and curriculum, selected therapeutic techniques and activities, and consultation and collaborative interventions with staff and parents. (B&PC Ch. 5.7, CCR Title 5 §3051.6 EC Part 30 §56363, GC-Interagency Agreements Ch. 26.5 §7575(a) (2))

510–Individual Counseling

Provide a detailed description of the services to be provided under this code.

One-to-one counseling, provided by a qualified individual pursuant to an IEP. Counseling may focus on aspects, such as educational, career, personal; or be with parents or staff members on learning problems or guidance programs for students. Individual counseling is expected to supplement the regular guidance and counseling program. (34 CFR § 300.24 (b) (2), (CCR Title 5 §3051.9).

*Service is Not Currently Provided*

515–Counseling and Guidance

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Counseling in a group setting, provided by a qualified individual pursuant to an IEP. Group counseling is typically social skills development, but may focus on aspects, such as educational, career, personal; or be with parents or staff members on learning problems or guidance programs for students. IEP-required group counseling is expected to supplement the regular guidance and counseling program. (34 CFR §300.24.(b)(2)): CCR Title 5 §3051.9) Guidance services include interpersonal, intrapersonal or family intervention, performed in an individual or group setting by a qualified individual pursuant to an IEP. Specific programs include social skills development, self-esteem building, parent training, and assistance to special education students supervised by staff credentialed to serve special education students. These services are expected to supplement the regular guidance and counseling program. (34 CFR 300.306; CCR Title 5 §3051.9).

520–Parent Counseling

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Individual or group counseling provided by a qualified individual pursuant to an IEP to assist the parent(s) of special education students in better understanding and meeting their child's needs; may include parenting skills or other pertinent issues. IEP-required parent counseling

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is expected to supplement the regular guidance and counseling program. 34 CFR §300.31 (b) (7); CCR Title 5 §3051.11).

525–Social Worker

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Social Work services, provided pursuant to an IEP by a qualified individual, includes, but are not limited to, preparing a social or developmental history of a child with a disability; group and individual counseling with the child and family; working with those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school; and mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program. Social work services are expected to supplement the regular guidance and counseling program. (34 CFR §300.24(b)(13); CCR Title 5 §3051.13).

530–Psychological

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services, provided by a credentialed or licensed psychologist pursuant to an IEP, include interpreting assessment results to parents and staff in implementing the IEP; obtaining and interpreting information about child behavior and conditions related to learning; planning programs of individual and group counseling and guidance services for children and parents. These services may include consulting with other staff in planning school programs to meet the special needs of children as indicated in the IEP. (CFR Part 300 §300.24). IEP-required psychological service are expected to supplement the regular guidance and counseling program. (34 CFR §300.2; CCR Title 5 §3051.10).

535–Behavior Intervention

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

A systematic implementation of procedures designed to promote lasting, positive changes in the student's behavior resulting in greater access to variety of community setting, social contacts, public events, and placement in the least restrictive environment. (CCR Title 5 §3001 (d)).

540–Day Treatment

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Provide a detailed description of the services to be provided under this code.

Structured education, training and support services to address the student's mental health needs (Health & Safety Code, Div.2, Chap.3, Article 1, 1502 (a)(3)).

*Service is Not Currently Provided*

545–Residential Treatment

Provide a detailed description of the services to be provided under this code.

A 24-hour out-of-home placement that provides intensive therapeutic services to support the educational program (Welfare and Institutions Code, Part 2, Chapter 2.5, Art. 1, §5671)).

*Service is Not Currently Provided*

610–Specialized Service for Low Incidence Disabilities

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Low incidence services are defined as those provided to the student population of orthopedically impaired (01), visually impaired (VI), deaf, hard of hearing/hearing impairment (HH/HI), or deaf-blind (DB). Typically, services are provided in education setting by an itinerant teacher or the the itinerant teacher/specialist. Consultation is provided to the teacher, staff and parents as needed. These services must be clearly written in the student's IEP, including frequency and duration of the service to the student. (CCR Title 5 §3051.16 & 3051.18).

710–Specialized Deaf and Hard of Hearing

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services include speech therapy, speech reading, auditory training and/or instruction in the student's mode of communication. Rehabilitative and education services; adapting curricula, methods, and the learning environment; and special consultation to students, parents, teachers, and other school personnel may also be included. (CCR Title 5 § 3051.16 and 3051.18).

715–Interpreter

*Service is Not Currently Provided*

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Provide a detailed description of the services to be provided under this code.

Sign language interpretation of spoken language to individuals, whose communication is normally sign language, by a qualified sign language interpreter. This includes conveying information through the sign system of the student or consumer and tutoring students regarding class content through the sign system of the student.

720–Audiological  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services include measurements of acuity, monitoring amplification, and frequency modulation system use. Consultation services with teacher, parents or speech pathologists must be identified in the IEP as to reason, frequency and duration of contract; infrequent contact is considered assistance and would not be included. (CCR Title 5 §3051.2).

725–Specialized Vision  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

This is a board category of service provided to student with visual impairments. It includes assessment of functional vision; curriculum modifications necessary to meet the student's education needs, including Braille, large type, and aural media; instruction in areas of need; concept development and academic skills; communication skills (including alternative modes of reading and writing); social, emotional, career, vocational, and independent living skills. It may include coordination of other personnel providing services to the students (such as transcribers, readers, counselors, orientation and mobility specialists, career/vocational staff, and others) and collaboration with the student's classroom teacher. (CAC Title 5 §3030(d), EC 56364.1)

730–Orientation and Mobility  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Students with identified visual impairments are trained in body awareness and to understand how to move. Students are trained to develop skills to enable them to travel safely and independently around the school and in the community. It may include consultation service to parents regarding their children requiring such services according to an IEP.

Section E: Annual Service Plan

SELPA:

Fiscal Year:

735–Braille Transcription

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Any transcription services to convert materials from print Braille. It may include textbooks, tests, worksheets, or anything necessary for instruction. The transcriber should be qualified in English Braille as well as Nemeth Code (mathematics) and be certified by appropriate agency.

740–Specialized Orthopedic

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Specially designed instruction related to the unique needs of students with orthopedic disabilities, including specialized materials and equipment (CAC Title 5, §3030(e) & 3051.16)

745–Reading

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Any specialized assistance provided for students who are print-impaired, whether the impairment is the result of a visual disability, other physical disability, or reading disability. This may include but limited to, reader provided for examination, textbooks, and other course related reading assignments and may also include recorded materials.

750–Note Taking

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Any specialized assistance given to the student for the purpose of taking notes when the student is unable to do so independently. This may include, but is not limited to, copies of notes taken by another student or transcription of tape-recorded information from a class or aide designated to take notes. This does not include instruction in the process of learning how to take notes.

755–Transcription

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Any transcription service to convert materials from print to a mode of communication suitable

Section E: Annual Service Plan

SELPA:

Fiscal Year:

for the student. This may also include dictation services as it may pertain to textbooks, tests, worksheets, or anything necessary for instruction.

- 760–Recreation Service, Including Therapeutic Recreation  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Therapeutic recreation and specialized instructional programs designed to assist pupils to become as independent as possible in leisure activities, and when possible and appropriate, facilitate the pupil's integration into general recreation programs; (CAC Title 5, §3051.15; 20 USC 1401 (26(A)(1)) (34 CFR 300.24).

- 820–College Awareness  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

College awareness is the result of acts that promote and increase student learning about higher education opportunities, information and options that are available including, but not limited to, career planning, course prerequisites, admission eligibility and financial aid.

- 830–Vocational Assessment, Counseling, Guidance, and Career Assessment  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment and may include provision for work experience, job coaching, development and/or placement, and situational assessment. This includes career counseling to assist student in assessing his/her aptitudes, abilities, and interests in order to make realistic career decisions. (Title 5 §3051.14)

- 840–Career Awareness  *Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Transition services include a provision in paragraph (1) (c) (vi), self-advocacy, career planning, and career guidance. This comment also emphasized the need for coordination between this provision and the Perkins Act to ensure that students with disabilities in middle schools will be able to access vocational education funds. (34 CFR§300.29).

Section E: Annual Service Plan

SELPA:

Fiscal Year:

850–Work Experience Education

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Work experience education means organized educational programs that are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advance degree. (34 CFR 300.26)

855–Job Coaching

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Job coaching is a service that provides assistance and guidance to an employee who may be experiencing difficulty with one or more aspects of the daily job tasks and functions. This service is provided by a job coach who is highly successful, skilled, and trained on the job who can determine how the employee that is experiencing difficulty learns best and formulate a training plan to improve job performance.

860–Mentoring

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Mentoring is a sustained coaching relationship between a student and teacher through ongoing involvement and offers support, guidance, encouragement, and assistance as the learner encounters challenges with respect to a particular area such as acquisition of job skill. Mentoring can be either formal as in planned, structured instruction or informal that occurs naturally through friendship, counseling and collegiality in a casual, unplanned way.

865–Agency Linkages (referral and placement)

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Service coordination and case management that facilitates the linkage of individualized education programs under this part and individualized family service plans under part C with individualized service plans under multiple Federal and State programs, such as Title I of the Rehabilitation Act of 1973 (vocational rehabilitation), Title XIX of the Social Security Act (Medicaid), and Title XVI of the Social Security Act (supplemental security income). (34 CFR §613).

Section E: Annual Service Plan

SELPA:

Fiscal Year:

870–Travel and Mobility Training

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

Orientation and mobility services--(i) Means services provided to blind or visually impaired children by qualified personnel to enable those students to attain systematic orientation to and safe movement with their environments in school, home and community.

890–Other Transition Services

*Service is Not Currently Provided*

Provide a detailed description of the services to be provided under this code.

These services may include program coordination, case management and meetings, and crafting linkages between schools and postsecondary agencies.

900–Other Related Service

*Service is Not Currently Provided*

Description of the “Other Related Service”

Qualifications of the Provider Delivering “Other Related Service”















# IEP Implementation Data Collection

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Special Education Division  
California Department of Education



TONY THURMOND  
State Superintendent of Public Instruction

# Meeting Materials

- CDE Box Link: <https://cde.box.com/v/iepimplementation2024>
  - Power Point Slides
  - Technical Assistance Guide (TAG)
  - Frequently Asked Questions (FAQ)

# Agenda/Topics

- Description/Requirements
- Timeline
- Procedure/Methodology
- Data Collection Website
- Data Validation Requirements

# Description/Requirements

## Objectives

- To fulfill its monitoring and enforcement responsibilities under the federal IDEA in 34 *Code of Federal Regulations sections* 300.600 and 300.323.
- **Identify systemic issues** with LEAs, and help the State identify LEAs that are not providing the services promised in Individualized Education Programs (IEPs).
- Identify and categorize IEPs surveyed by three designated percentage of completion ranges.

# Timeline



# Procedure/Methodology

- On May 1, 2024 CDE will provide a random sample of SWDs to each LEA based upon the following criteria:

<b>Number of SWD</b>	<b>Number of IEPs LEA Must Review</b>	<b>Percentage of IEPs Required for Review</b>
<b>1 – 100</b>	<b>All/Max of 20</b>	<b>20% - 100%</b>
<b>101 – 199</b>	<b>20</b>	<b>10.05% - 19.8%</b>
<b>200 – 4,999</b>	<b>20 – 500</b>	<b>10%</b>
<b>5,000 +</b>	<b>500</b>	<b>0.74% - 9.97%</b>

**NOTE: Small LEAs (LEAs with 100 or fewer SWDs) that were selected for monitoring in Cycles A, B, or C will only be required to submit IEP Implementation data during their next monitoring cycle, beginning with Cycle B in 2025. The random sample generated for large LEAs will EXCLUDE SSIDs from any charters identified for monitoring in Cycles A, B, or C.**

# Student Sample

- Should not include any students from charter schools identified as “small LEAs” being monitored in Cycles A, B, or C
  - This WILL include any charters not selected in those monitoring cycles
- Should only include students enrolled for the entire duration of the evaluation period (March 1, 2024 through April 29, 2024)
- Students on Individualized Education Programs (IEPs) only, including any students enrolled in Nonpublic Nonsectarian Certified schools (NPS)
- If LEAs receive an SSID for a student that transferred out of the LEA prior to or during the evaluation period, the LEA should:
  - Ensure the student’s exit is updated in CALPADS
  - Ensure that the reason for not providing results for that student in the IEP Implementation Data Collection is documented and shared with the SELPA

# Procedure/Methodology (2)

- LEAs will collect and analyze local-level service implementation data.
- Measurements will be based upon total number of service minutes provided for all services in the IEP (numerator), and the total number of service minutes prescribed (denominator). Each IEP ratio will then be summarized into one of three categories:

**A. 100 to 95% of IEP services implemented**

**B. 94.9 to 90% of IEP services implemented**

**C. Less than 90% of IEP services implemented**

# Procedure/Methodology (3)

- **Numerator should include:**

- The total count of **actual** service minutes received for all services provided during the evaluation period

- **Denominator should:**

- **Include:**

- Total count of **prescribed** service minutes included in the special education plan to which the parent/guardian has agreed/signed, including:
  - Service minutes the student received
  - Student absences due to illness (familial or student), truancy, or other excused or unexcused absences
  - Staff absences due to illness or staff shortages

- **Exclude service minutes prescribed during:**

- Field trips
- Scheduled school breaks such as intersession or --Spring Break
- Statewide testing periods
- Student benchmark testing
- Special programming at the school site (e.g., school assemblies)
- School-related emergencies

# Why must student absences be included in the denominator calculation?

- Although student absences may have an impact on a particular student's implementation percentage, when evaluating IEP Implementation at a local educational agency-level, the **CDE is examining the overall percentage of students in the randomly selected sample that are falling into the 90% and below range.**
- A **significant percentage** of students falling into the 90% and below range may identify systemic issues that may offer an opportunity for CDE to provide programmatic and technical assistance to LEAs.

# Procedure/Methodology (4)

## Example

- Sample LEA ABCUSD
  - Large LEA, **5000+** SWDs, n size of sample: **500** IEPs
- Calculation for single student IEP:
  - Time Period for analysis: March 1, 2024 - April 29, 2024
  - 2000 service minutes provided/2160 service minutes prescribed = **93% implementation**. This student is added to the bucket for **category B**
  - 94.9 to 90% of IEP services implemented
- Summary Data by ABCUSD for submission:

Category	Total	Percentage
A. 100 to 95% of IEP services implemented	410	82%
B. 94.9 to 90% of IEP services implemented	70	14%
C. Less than 90% of IEP services implemented	20	4%

# Things to consider when evaluating IEP Implementation...

- LEAs should:
  - Have a clear, documented process for tracking the implementation of IEP services throughout the year in preparation for any audits
  - Have a clear understanding of how your special education data system tracks services
  - Ensure all service providers are clear on their obligation to provide services consistent with the IEP
- When determining IEP implementation rates, staff should consider the following:
  - Electronic or paper service logs
  - Transition Services prescribed and received
  - Push-in or pull-out aide services and who documents those services
  - Specialized Academic Instruction (SAI)
  - Student absences
  - Service provider/staff absences

# How are Specialized Academic Instruction Minutes Calculated?

- If a student is in attendance, specialized academic instruction (SAI) minutes may be counted as received.
- This includes days when an appropriately authorized (certificated or licensed) staff member or contracted provider is substituting for the teacher or staff person of record.

# Compensatory Services

- Students may, but are not required to receive compensatory services
- If provided, the compensatory service minutes provided must fall within the prescribed evaluation period (March 1, 2024 through April 29, 2024)

# IEP Implementation Follow-Up Survey

- CDE must then assess the validity and reliability of data submitted regarding an LEA's implementation of IEP services.
  - State will randomly select 10% of those LEAs and audit the data submitted by those LEAs regarding the LEA's implementation of IEP services.

# IEP Implementation and Annual Determinations

- Annual Determination letters for the 2023–24 academic year included the count of students who fell in category C: Less than 90% of services implemented
- CDE is still in discussions how IEP Implementation data will be factored into the Annual Determination process for the 2024–25 academic year

# Data Collection Website

## User Logon

The Individual Education Plan (IEP) Service Implementation Data Collection is aimed towards continuous improvement of educational services through collecting and understanding critical data. In order to complete this data collection, all questions require a response.

Please complete the following data collection survey based on data you have collected, analyzed, and reviewed on the students selected for this process via random selection of Statewide Student Identifiers (SSIDs).

Please log in using the Access Code issued for your LEA or SELPA.

**Access Code**

Logon

IEP Implementation Website:

<https://www3.cde.ca.gov/iepimpsys/>

IEP Implementation Data Collection 2024

# How do I get my access code for the website?

- SELPA access
  - On May 1, 2024, CDE will email access codes to SELPA level users.
- LEA access
  - Once SELPA level users log into the system, they are expected to download access codes for their LEA-level users (available in the application), and then distribute these access codes to their respective LEA representatives.

# Data Collection Website (SELPA View 1)

Logoff

DEPARTMENT OF EDUCATION  
**California** DEPARTMENT OF  
**EDUCATION**

Dashboard

## Los Angeles Unified

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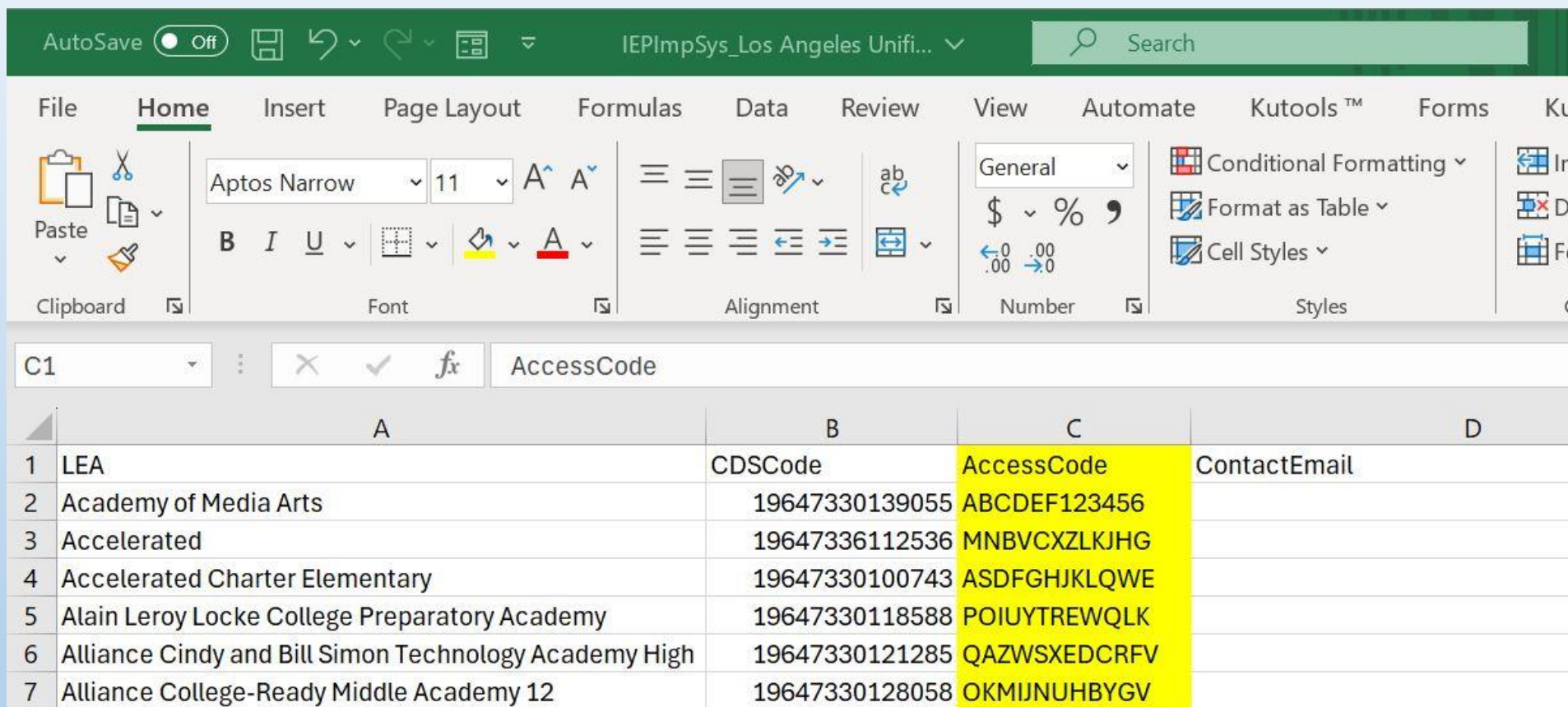
### 2023 Overview

SELPA Name	<b>Los Angeles Unified</b>
SELPA Code	<b>1914</b>
LEA Status	

### User Actions

- [Download LEA Records](#)

# SELPA View of LEA Access Codes



The screenshot shows the Microsoft Excel interface with the following data table:

	A	B	C	D
1	LEA	CDSCCode	AccessCode	ContactEmail
2	Academy of Media Arts	19647330139055	ABCDEF123456	
3	Accelerated	19647336112536	MNBVCXZLKJHG	
4	Accelerated Charter Elementary	19647330100743	ASDFGHJKLQWE	
5	Alain Leroy Locke College Preparatory Academy	19647330118588	POIUYTREWQLK	
6	Alliance Cindy and Bill Simon Technology Academy High	19647330121285	QAZWSXEDCRFV	
7	Alliance College-Ready Middle Academy 12	19647330128058	OKMIJNUHBYGV	

It will be the responsibility of each SELPA director to distribute the LEA access codes to the associated and responsible LEA representatives.

# Data Collection Website (LEA View)

Palmdale Elementary | [Logoff](#)

DEPARTMENT OF EDUCATION  
**California** DEPARTMENT OF EDUCATION  
IEP Implementation System

Overview Settings

## Palmdale Elementary

### 2022 Overview

LEA Name	Palmdale Elementary
CDS Code	1964857000000
SELPA Name	Antelope Valley
LEA Due Date	September 9, 2022
Submission Status	Past Due Date <small>Please submit as soon as possible</small>

### User Actions

- [Download Student Records](#)
- [Submit IEP Data](#)

### Sampled Students

Filter by Name or SSID (partial OK) [Filter](#)

Showing 1 - 10 of 500 Students [→](#)

Student Name (Last, First) ↓↑	Statewide Student Identifier (SSID)

### SWD IEP Implementation Success Rates

95-100% ⓘ	<input type="text" value="350"/>
90-94.9% ⓘ	<input type="text" value="100"/>
Less Than 90% ⓘ	<input type="text" value="50"/>
Total Students	500 of 500 Sampled

[Save Data](#)

**Note:** After you have confirmed and saved the final numbers for each percentage category (by clicking the "Save Data" button), you must click the "Submit IEP Data" button to finalize your submission.

[Submit IEP Data](#)

AutoSave Off

File Home Insert Page Layout Formulas

Clipboard Font

C1 SSID

	A	B	C	D
1	LastName	FirstName	SSID	
2	A	Christopher Kyle	1234567890	
3	A	Jesse	9876543211	
4	A	Jessica	5432198765	
5	B	Ava	6789012345	
6	B	Bailey	1029384756	
7	B	Romi	5647382910	
8	C	Emily	1092387456	
9	C	Faith	1122334455	
10	C	Isabella	9988776655	
11	C	Katelynn	5556667778	
12	C	Nicholas	3334445556	

# Data Collection Website (LEA Certification Page)

Palmdale Elementary | [Logoff](#)

California DEPARTMENT OF EDUCATION

IEP Implementation System

Overview Settings

## IEP Implementation Submission


[← Return to Overview](#)

### Confirm and Submit

Please review and confirm the following information before submission (use the "Return to Overview" link to edit your responses before submitting if needed):

LEA Name	Palmdale Elementary
CDS Code	19648570000000
SELPA Name	Antelope Valley
Submitter Name	<input type="text"/>
Submitter Title	<input type="text"/>
Submitter Email	<input type="text"/>
Submitter Phone	<input type="text"/>
Submitter Phone Ext.	<input type="text" value="Optional"/>

*On behalf of the Superintendent of the district and/or Principal, I certify that the data submitted is true and accurate to the best of my knowledge.*



**Note:** Once submitted, no changes may be made and the data will be submitted to SELPA for review.

# Data Collection Website (LEA, Confirmation)

Palmdale Elementary | [Logoff](#)

California DEPARTMENT OF EDUCATION

IEP Implementation System

Overview Settings

## Palmdale Elementary

### 2022 Overview

LEA Name	Palmdale Elementary
CDS Code	19648570000000
SELPA Name	Antelope Valley
LEA Due Date	September 9, 2022
Submission Status	Awaiting SELPA Review

### User Actions

- [Download Student Records](#)

### Sampled Students

Filter by Name or SSID (partial OK) [Filter](#)


Showing 1 - 10 of 500 Students →

Student Name (Last, First) ↑↓	Statewide Student Identifier (SSID)

### SWD IEP Implementation Success Rates

95-100% ⓘ	350
90-94.9% ⓘ	100
Less Than 90% ⓘ	50
Total Students	500 of 500 Sampled

# Data Collection Website (SELPA View 2)



Antelope Valley | [Logoff](#)

IEP Implementation System

Overview Settings

## Antelope Valley

### 2022 Overview

SELPA Name	<b>Antelope Valley</b>
SELPA Code	<b>1911</b>
LEA Status	<b>0 of 1</b> LEAs are Approved

### User Actions

- [Download LEA Records](#)

### LEA Submission(s)

LEA Name CDS Code	Submission Status	Contact Email	Action
Palmdale Elementary 19648570000000	<b>Awaiting Review</b> Submitted on <b>November 23, 2022</b>		<a href="#">Review Submission</a>

# Data Collection Website (SELPA Review, Approval)

The screenshot displays the IEP Implementation System interface for Palmdale Elementary. At the top, the California Department of Education logo is visible, along with the user's location (Antelope Valley) and a Logoff link. The page title is "Palmdale Elementary" and the system is identified as the "IEP Implementation System".

**2022 Overview**

LEA Name	Palmdale Elementary
CDS Code	19648570000000
SELPA Name	Antelope Valley
LEA Due Date	September 9, 2022
Submission Status	Awaiting SELPA Review

**User Actions**

- [Download Student Records](#)

**Sampled Students**

Filter by Name or SSID (partial OK)

Showing 1 - 10 of 500 Students

Student Name (Last, First) ↑↓	Statewide Student Identifier (SSID)

**SWD IEP Implementation Success Rates**

95-100%	<input type="text" value="350"/>
90-94.9%	<input type="text" value="100"/>
Less Than 90%	<input type="text" value="50"/>
<b>Total Students</b>	<b>500 of 500 Sampled</b>

**SELPA Review**

Approve Submission

Reject Submission

Provide actionable feedback to the LEA:

# Data Collection Website (SELPA, Confirmation)

Antelope Valley | [Logoff](#)

California DEPARTMENT OF EDUCATION

IEP Implementation System

Overview Settings

## Antelope Valley

### 2022 Overview

SELPA Name	<b>Antelope Valley</b>
SELPA Code	<b>1911</b>
LEA Status	1 of 1 LEAs are Approved

### User Actions

- [Download LEA Records](#)

### LEA Submission(s)

LEA Name CDS Code	Submission Status	Contact Email	Action
Palmdale Elementary 19648570000000	<b>Approved</b> Approved on November 23, 2022		<a href="#">View Submission</a>

# Data Validation Requirements

- CDE will require that each **Superintendent** (or designee) of each **LEA certify** to the State that the data submitted regarding an LEA's implementation of IEP services are accurate and that school principals have certified to the LEA's Superintendent that such submitted data are accurate; and
- To assess the validity and reliability of data submitted in response to the State's annual statewide data collection regarding an LEA's implementation of IEP services, for those LEAs who submit such data, the State will randomly select 10% of those LEAs and audit the data submitted by those LEAs regarding the LEA's implementation of IEP services
- If selected for review, the follow up survey response by LEAs is mandatory

# Goals/Summary

- Statewide data collection to help the State identify LEAs that are not implementing the services promised in Individualized Education Programs (IEPs)
- Help improve LEA's program efficiency and effectiveness through monitoring special education services to students across California.
- Questions? Please send an email to [IEPimplementation@cde.ca.gov](mailto:IEPimplementation@cde.ca.gov)

**BOLINAS-STINSON UNION SCHOOL DISTRICT  
ANNUAL NOTICE TO PARENTS  
2024-2025**

DEAR PARENT/GUARDIAN:

Section 48980 of the Education Code of California requires that notice be given at the beginning of the first semester or quarter of the regular school term to the parent or guardian of the minor pupils in the school district regarding the rights of the parent or guardian under sections 35291, 46014, 46015, 48205, 48207, 48208, 49403, 49423, 49451, 49472, 51938, Chapter 2.3 (commencing with section 32255) of Part 19, and notice of the availability of the program prescribed by Article 9 (commencing with section 49510) of Chapter 9 and of the availability of individualized instruction under section 48206.3. Section 48982 requires that this Notice be signed and returned by the parent or guardian to the school. Signature and return of the attached form is acknowledgement by the parent or guardian that he or she has been informed of his or her rights but does not indicate that consent to participate in any particular program has either been given or withheld. Pursuant to parent request, the annual notification may be provided to the parent or guardian in electronic format by providing access to the notice electronically. If the notice is provided in electronic format, the parent or guardian must submit to the school a signed acknowledgment of receipt of this notice.

Some legislation requires additional notification to the parents or guardians during the school term or at least 15 days prior to a specific activity. (A separate letter will be sent to parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are spelled out in this form.

Accordingly, you are hereby notified as follows (when used in this notification "parent" includes a parent or legal guardian):

**STUDENT DISCIPLINE**

**RULES AND PROCEDURES ON SCHOOL DISCIPLINE (EC §35291):**

Rules pertaining to student discipline, including those that govern suspension or expulsion, are set forth in Education Code Sections 48900 and following, and are available upon request from the school. In addition, the following disciplinary information is provided to parents:

**DUTY CONCERNING CONDUCT OF PUPILS (EC §44807):** Every teacher shall hold pupils accountable for their conduct on the way to and from school, and on the playground.

**DUTIES OF PUPILS (5 CCR §300):** Pupils must conform to school regulations, obey all directions, be diligent in study, be respectful of teachers/others in authority, and refrain from profane/vulgar language.

**HAZING PROHIBITION (EC §48900(q)):** Pupils and other persons in attendance are prohibited from engaging or attempting to engage in hazing.

**DRESS CODE/GANG APPAREL (EC §35183):** The district is authorized to adopt a reasonable dress code.

**ATTENDANCE OF SUSPENDED PUPIL'S PARENT (EC §48900.1; LC §230.7):** If a teacher suspends a student, the teacher may require the child's parent to attend a portion of the school day in his or her child's class. Employers may not discriminate against parents who are required to comply with this requirement.

**SCHOOL ACCOUNTABILITY REPORT CARD (EC §35256, 35258):** Districts are to make a concerted effort to notify parents of the purpose of school accountability report cards, and ensure that all parents have access to a copy.

**SAFE PLACE TO LEARN ACT (EC §234.1):** The district is committed to maintaining a learning and working environment that is free from bullying, as defined in EC §48900(r). Any student who engages in bullying of anyone in or from the district may be subject to disciplinary action up to and including expulsion. The district's policies and process for filing a complaint should be publicized to pupils, parents, employees and agents of the governing board. The notice shall be in English and in the primary language of the recipient. For a copy of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies or to report incidences of bullying please contact the district office. These policies shall be posted in schools and offices.

**SCHOOL RECORDS AND ACHIEVEMENT**

**PUPIL RECORDS/NOTICE OF PRIVACY RIGHTS OF PARENTS AND STUDENTS (EC §49063 et seq., §49069.7, §49073, 34 CFR 99.30, 34 CFR 99.34, and the federal Family Educational Rights and Privacy Act):** Federal and state laws concerning student records grant certain rights of

privacy and right of access to students and to their parents. Full access to all personally identifiable written records maintained by the school district must be granted to: (1) Parents of students 17 and younger; (2) Parents of students age 18 and older if the student is a dependent for tax purposes and the records are needed for a legitimate educational purpose; (3) Students age 18 and older, or students who are enrolled in an institution of postsecondary instruction (called "eligible students"); (4) Pupils age 14 and over who are identified as both homeless and an unaccompanied youth; (5) Individuals who have completed and signed a Caregiver's Authorization Affidavit.

Parents, or an eligible student, may review individual records by making a request to the principal. Districts must respond to a pupil record request by providing access no later than five business days following the date of the request. The principal will see that explanation and interpretations are provided if requested. Information that is alleged to be inaccurate or inappropriate may be removed upon request. In addition, parents or eligible students may receive a copy of any information in the records at reasonable cost per page. District policies and procedures relating to: location of, and types of records; kinds of information retained; availability of certificated personnel to interpret records if requested; persons responsible for records; directory information; access by other persons; review and challenge of records are available through the principal at each school. When a student moves to a new district, records will be forwarded upon the request of the new school district within ten school days. At the time of transfer, the parent or eligible student may review, receive a copy (at a reasonable fee), and/or challenge the records.

If you believe the district is not in compliance with federal regulations regarding privacy, you may file a complaint with the United States Department of Education (20 USC §1232g).

You have the right to inspect all instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any applicable program.

**RELEASE OF PUPIL DIRECTORY INFORMATION (EC §49073, 34 CFR 99.37):** The district also makes student directory information available in accordance with state and federal laws. This means that each student's name, birth date, address, telephone number, email address, major course of study, participation in officially recognized school activities, dates of attendance, degrees and awards received, and most recent previous public or private school attendance may be released in accordance with board policy. In addition, height and weight of athletes may be made available. Appropriate directory information may be provided to any agency or person except private, profit-making organizations (other than employers, potential employers or the news media). Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where the district receives consent as required under state law). Names and addresses of seniors or terminating students may be given to public or private schools and colleges. Parents and

eligible students will be notified prior to the destruction of any special education records. You have the right to inspect a survey or other instrument to be administered or distributed to your child that either collects personal information for marketing or sale or requests information about beliefs and practices and any instructional material to be used as part of your child's educational curriculum. Please contact your child's school if you wish to inspect such a survey or other instrument.

*Upon written request from the parent of a student age 17 or younger, the district will withhold directory information about the student. If the student is 18 or older or enrolled in an institution of postsecondary instruction and makes a written request, the student's request to deny access to directory information will be honored. Requests must be submitted within 30 calendar days of the receipt of this notification. (See attached form.) Additionally, directory information related to homeless or unaccompanied youths will not be released without the express written consent for its release by the eligible pupil or guardian.*

**RELEASE OF INFO TO MILITARY SERVICES REPS / RELEASE OF TELEPHONE NUMBERS (EC §49073.5; 20 USC §7908):** Parents of secondary students may request in writing that the student's name, address, and telephone listing not be released to armed forces recruiters without prior written parental consent.

**PARTICIPATION IN STATE ASSESSMENTS AND OPTION TO REQUEST EXEMPTION (EC § 60615, 5 CCR § 852):** Pupils in applicable grade levels will participate in the California Assessment of Student Performance and Progress (CAASPP) except as exempted by law. Each year, a parent may submit a written request to excuse his or her child from any or all parts of the CAASPP assessments for that school year. If the parent submits the exemption request after testing begins, any test(s) completed before the request is submitted will be scored; the results will be included in the pupil's records and reported to the parent. School district employees will not solicit or encourage any exemption request on behalf of a pupil or group of pupils.

**HIGH SCHOOL CURRICULUM: NOTIFICATION REGARDING COLLEGE PREPARATORY COURSES (EC §51229):** Districts are required to provide parents of each minor pupil enrolled in grades 9 to 12 written notice of college admission requirements and career technical education courses.

**ADVANCED PLACEMENT EXAMINATION FEES (EC §48980(j), EC §52242):** State funds are available to cover the costs of advanced placement examination fees.

**RELEASE OF STUDENT RECORDS/COMPLIANCE WITH SUBPOENA OR COURT ORDER (EC §§49076 and 49077):** Districts are required to make a reasonable effort to notify parents in advance of disclosing student information pursuant to a subpoena or court order.

**RELEASE OF STUDENT RECORDS TO SCHOOL OFFICIALS AND EMPLOYEES OF THE DISTRICT (EC §§49076(a)(1) and 49064(d)):** Districts may release educational records, without obtaining prior written parental consent, to any school official or employee, which would include accountants, consultants, contractors, or other service providers, who have a legitimate educational interest in the educational record.

## HEALTH SERVICES

**SAFE STORAGE OF FIREARMS (EC § 49392):** A local educational agency serving pupils in kindergarten or any of grades 1 to 12, inclusive, shall, based upon model content from the California Department of Education, inform parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms. The required notice must include the following information related to the safe storage of firearms: Incidents of children bringing firearms to school can be reduced by storing firearms in a safe and secure manner, including keeping them in a locked

container or secured with a locking device that renders the firearm inoperable and storing firearms separately from ammunition.

**PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT (EC §49451):** A child may be exempt from physical examination whenever the parents file, annually, a written statement with the school principal stating that they will not consent to routine physical exam of their child. Whenever there is good reason to believe the child is suffering from a recognized contagious disease, the child will be excluded from school attendance.

**VISION APPRAISAL (EC §49455):** The district is required to appraise each student's vision during kindergarten, upon initial enrollment, and in grades 2, 5, and 8. Appraisal in the year immediately following a student's first enrollment in grades 4 or 7 shall not be required. The vision appraisal shall include tests for near vision, far vision, and color vision; however, color vision shall be appraised once and only on male students. The evaluation may be waived upon presentation of a certificate from a physician, surgeon, physician's assistant, or optometrist setting out the results of a determination of the student's vision, including visual acuity and color vision. This appraisal is not required if a parent files a written objection based on a religious belief with the principal.

**SCOLIOSIS SCREENING NOTICE (EC §§49451 and 49452.5):** In addition to the physical examinations required pursuant to Section 100275 of the Health and Safety Code, the district may provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis.

**DENTAL FLUORIDE TREATMENT (H&S §104830 et seq.):** Pupils will be provided the opportunity to receive the topical application of fluoride or other decay-inhibiting agent to each pupil's teeth if the parent, or eligible pupil submits a letter stating that the treatment is desired.

**PUPIL NUTRITION/NOTICE OF FREE AND REDUCED PRICE MEALS (EC §§48980(b), 49510, 49520 and 49558):** Needy children may be eligible for free or reduced price meals. Details, eligibility criteria, and applications to participate in a free or reduced price meal program if it is available are available at your child's school. Individual records pertaining to student participation in any free or reduced-price meal program may, under appropriate circumstances, be used by school district employees to identify students eligible for public school choice and services pursuant to the federal Every Student Succeeds Act. When a household is selected for verification of eligibility for free and reduced meals, the District must notify the parent that their child(ren)'s eligibility is being verified.

**COMMUNICABLE DISEASES (EC §48216 and 49403):** The district is authorized to administer immunizing agents to pupils whose parents have consented in writing to the administration of such immunizing agent. The district is required to exclude pupils who have not been properly immunized pursuant to Health and Safety Code 120325 and 120335. The district must notify parents that they have two weeks to supply evidence either that the pupil has been properly immunized or is exempted from the requirement. All students entering kindergarten, advancing from sixth to seventh grade in the district, or prior to his or her first admission to the district, will be required to comply with the immunization requirements of Health and Safety Code section 120335, unless the student provides the district with a valid exemption from a licensed physician. No new personal belief exemptions will be accepted. Students with personal-belief exemptions on file with the district as of January 1, 2016, shall be allowed to continue enrollment until entering the next grade span in the district. Grade spans are defined as birth through preschool, K-6, including transitional kindergarten, and 7-12. Students qualified for an individualized education program may access special education and related services as required by his or her individualized educational program.

**MEDICATION (EC §49423, §49423.1):** Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the physician and a parental request for assistance in administering the medication.

Students may also carry and self-administer prescription auto-injectable epinephrine and prescription inhaled asthma medication upon the school's receipt of specified written confirmation with instructions for self-administration and authorization from the student's parent and physician or surgeon. The parent must release the school district and personnel from liability for any harm resulting from the self-administered medication, and provide a release for authorized school personnel to consult with the physician or surgeon.

**MEDICAL AND HOSPITAL SERVICES FOR PUPILS (EC §§49471 and 49472):** The district is required to notify parents in writing if it does not provide or make available medical and hospital services for students injured while participating in athletic activities. The district is also authorized to provide medical or hospital services through non-profit membership corporations or insurance policies for student injuries arising out of school-related activities.

**AVAILABILITY OF INDIVIDUALIZED INSTRUCTION/PRESENCE OF PUPIL WITH TEMPORARY DISABILITY IN HOSPITAL (EC §§48206.3, 48207-48208):** Individualized instruction is available to students with temporary disabilities whose disability makes attendance in the regular day classes or alternative education program in which the student is enrolled impossible or inadvisable. Parents of students hospitalized or with a temporary disability shall notify the school district(s) where the student attends, resides and/or where the student receives care if an individualized instruction program is desired.

**CONTINUING MEDICATION REGIMEN (EC §49480):** Parents of any student on a continuing medication regimen for a non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication(s) being taken, the current dosage, and the name of the supervising physician. (*See attached form.*) With the consent of the parent, the school nurse may communicate with the physician and may counsel with 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.

**SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN (EC §35183.5):** School sites must allow for outdoor use of sun-protective clothing and must allow students to use sunscreen, without a prescription or physician's note, during the school day.

**ASBESTOS (40 CFR 763.84, 40 CFR 763.93):** The district has a plan for eliminating health risks that are created by the presence of asbestos in school buildings. It may be reviewed at the district office. At least once each year, the district will notify parents of inspections, response actions, and post-response action activities that are planned or in progress.

**USE OF PESTICIDES (EC §§17611.5, 17612 and 48980.3):** School districts are required to inform parents about the use of pesticides on school grounds and provide access to the integrated pest management plan when certain pesticides are used. (*See attached.*)

**COMPREHENSIVE SCHOOL SAFETY PLAN (EC §§32280 et seq.):** Each school is required to report on the status of its school safety plan, including a description of its key elements, in the annual school accountability report card (SARC). The planning committee is required to hold a public meeting to allow members of the public the opportunity to express an opinion about the school plan. The planning committee shall notify specified persons and entities in writing.

**NOTICE OF COMPLIANCE (EC §32289):** A complaint of noncompliance with the school safety planning requirements may be filed with the State Department of Education under the Uniform Complaint Procedures (5 CCR 4600 et seq.).

**TOBACCO FREE SCHOOLS (HS §104420):** Use of tobacco products at any time by students, staff, parents, or visitors, is strictly prohibited in district-owned or leased buildings, on district property, and in district vehicles. This

prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Prohibited products include any product containing tobacco or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic cigarettes that can deliver nicotine and nonnicotine vaporized solutions. Exceptions may be made for the use or possession of prescription nicotine products. Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

## STUDENT SERVICES

**MINIMUM AGE OF ADMISSION TO KINDERGARTEN (EC §48000):** A child shall be eligible for enrollment in kindergarten at the beginning of the school year or at a later time in the same year, if the child has their fifth birthday, respectively, on or before September 1. For the 2024-25 school year, any child who will have their fifth birthday between September 2 and June 2 shall be admitted to a transitional kindergarten program in accordance with law and district policy. On a case-by-case basis, a child who has reached age five after the date listed above but before the end of the applicable school year, may be admitted to transitional kindergarten with the approval of the child's parent and subject to board approval in accordance with EC §48000. A school district may place a child who will have their fourth birthday on or before December 1 and is enrolled in a California state preschool program into a transitional kindergarten program classroom in accordance with EC §48000.

**PREGNANT AND PARENTING PUPILS (EC §§ 221.51, 222, 222.5, 46015):** Districts may not exclude nor deny any pupil from any educational program or activity on the basis of the pupil's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, and shall treat these conditions in the same manner and under the same policies as any other temporary disabling condition. A pregnant or parenting pupil is entitled to 8 weeks of parental leave, or additional leave if deemed medically necessary by the pupil's physician. During parental leave, absences shall be excused and the pupil shall not be required to complete academic work or other school requirements. After return from parental leave, a pupil may resume the course of study in which he/she was previously enrolled, is entitled to make up work missed, and to take a fifth year of high school instruction if necessary to complete graduation requirements. A pupil may elect to attend an alternative education option instead of returning to the school in which he or she was enrolled prior to parental leave. Schools shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. A pupil shall not incur an academic penalty as a result of his or her use of these accommodations.

**PROSPECTUS OF SCHOOL CURRICULUM (EC §49091.14):** The curriculum of every course offered by the schools of the district is compiled annually by each school in a prospectus. Each school prospectus is available for review upon request at each school site. Copies are available upon request for a fee not to exceed the actual copying cost.

**MULTILINGUAL EDUCATION (EC §310):** If the district implements a language acquisition program pursuant to EC §310, information on the types of language programs available and a description of each program will be made available with this notice or upon enrollment.

**SPECIAL EDUCATION (IDEA):** State and federal law requires that a free appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. More information concerning student eligibility, parental rights and procedural safeguards are available upon request.

**SPECIAL EDUCATION; CHILD FIND SYSTEM (EC §56301):** Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal.

Policy and procedures shall include written notification to all parents of their rights pursuant to EC §56300.

**SPECIAL EDUCATION COMPLAINTS (5 CCR §3080):** State regulations require the district to establish procedures to deal with complaints regarding special education. If you believe that the district is in violation of federal or state law governing the identification or placement of a special education student, or similar issues, you may file a written complaint with the district. State regulations require the district to forward your complaint to the State Superintendent of Public Instruction. Procedures are available from your school principal.

**SECTION 504/DISABLED PUPILS (Section 504 of the Rehabilitation Act of 1973):** Federal law requires the district to annually notify disabled pupils and their parents of the district's non-discriminatory policy and duty under Section 504 of the Rehabilitation Act.

**STATEMENT OF NONDISCRIMINATION (Title VI of the Civil Rights Act of 1964; Title IX of the U.S. Education Amendments of 1972; Americans with Disabilities Act; Section 504 of the Vocational Rehabilitation Act of 1973; EC §200 et seq.):** The district does not discriminate on the basis of gender, gender identity, gender expression, sex, race, color, religion, national origin, ethnic group identification, age, genetic information, mental or physical disability, sexual orientation, immigration status, or the perception of one or more of such characteristics. The district's policy of nondiscrimination requires notification in native language if the district's service area contains a community of minority persons with limited English language skills. Notification must state that the district will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging noncompliance with this policy should be directed to the school principal. Appeals may be made to the district superintendent. A copy of the district's nondiscrimination policy is available upon request.

**EDUCATIONAL EQUITY REGARDLESS OF IMMIGRATION STATUS, CITIZENSHIP, OR RELIGION (EC §234.7):** Children have a right to a free public education, regardless of immigration status, citizenship status, or religious beliefs. When enrolling a child, schools must accept a variety of documents from the student's parent to demonstrate proof of child's age or residency. No information about citizenship/immigration status or Social Security number is required to enroll in school. Parents have the option to provide a school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for a minor student in the event the parent is detained or deported. Parents have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for a minor student. Students have the right to report a hate crime or file a complaint to the school district if they are discriminated against, harassed, intimidated, or bullied on the basis of actual or perceived nationality, ethnicity, or immigration status. The district will not release information to third parties for immigration-enforcement purposes, except as required by law or court order. The California Attorney General's website provides "know your rights" resources for immigrant students and family members online at <https://oag.ca.gov/immigrant/rights>.

**FINGERPRINTING PROGRAM (EC §32390):** Districts are authorized to offer fingerprinting programs for children enrolled in kindergarten or newly enrolled in the district. If the district has adopted such a program, you will be notified of procedures, applicable fee and your right to decline your child's participation upon your child's initial enrollment.

**CHILDREN IN HOMELESS SITUATIONS (42 USC §11431-11435):** Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations.

## SEX / HIV EDUCATION

**INSTRUCTION IN COMPREHENSIVE SEXUAL HEALTH EDUCATION AND HIV PREVENTION (EC §51938):** The district shall annually notify parents about instruction in comprehensive sexual health education and HIV prevention education and research on student health behaviors and risks planned for the school year. Written and audiovisual educational materials used in such education are available for inspection. If arrangement for the instruction is made after the beginning of the school year, parents will be notified no fewer than 14 days prior to the commencement of any such instruction if the district elects to provide the instruction by outside consultants in class or during an assembly. The notice must include the date of instruction, the name of the organization or affiliation of each guest speaker and information stating that the parent has the right to request a copy of the law pertaining to such instruction. Parents have the right to excuse his or her child from all or part of the comprehensive sexual health and HIV prevention education by submitting a written request to the district. Those students whose parents do not submit a written request to excuse them will receive such instruction. The law also authorizes the district, without prior parental consent, to use anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions in grades 7 to 12 about the student's attitudes concerning or practices relating to sex. The district must notify parents in writing before any such test, questionnaire, or survey is administered and provide them with an opportunity to review the materials. Parents have the right to excuse his or her child from such participation by submitting a written request to the school district.

**HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS (EC §51240):** Upon written request of a parent, students shall be excused from part of any school instruction in health if it conflicts with the religious training and beliefs of a parent.

## SCHOOL ATTENDANCE/ATTENDANCE ALTERNATIVES

California law (EC §48980(g)) requires all school boards to inform each student's parent at the beginning of the school year of the various ways in which they may choose schools for their children to attend other than the ones assigned by school districts. Students who attend schools other than those assigned by the districts are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the district which the parent lives (intradistrict transfer), and potentially three separate processes for selecting schools in other districts (interdistrict transfer). The general requirements and limitations of each process are described as follows:

### **Choosing a School Within District in Which Parent Lives:**

The law (EC §35160.5(b)) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows:

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- In cases in which there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student's academic or athletic performance as a reason to accept or reject a transfer.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this

balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.

- Each district may adopt a school selection policy that takes into consideration special circumstances that might be harmful or dangerous to a particular pupil, whether the sibling of the pupil is already in attendance at the school, and/or whether the pupil's parent is employed at the school.
- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

### Choosing a School Outside District in Which Parent Lives:

Parents have three different options for choosing a school outside the district in which they live. The three options are:

**Option 1: Districts of Choice (EC §§48300 through 48315):** The law allows, but does not require, each school district to become a "district of choice" – that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. If the school board of a district decides to become a "district of choice" it must determine the number of students it is willing to accept in this category each year and accept all pupils who apply to transfer until the school district is at maximum capacity. The school district of choice shall ensure that pupils admitted under this article are selected through an unbiased process that prohibits consideration of factors such as academic or athletic performance, physical conditions, or proficiency in English. If the district chooses not to become a "district of choice," a parent may not request a transfer under these provisions. Other provisions of the "district of choice" option include:

- Either the district a student would transfer to or the district a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. A district of choice cannot deny a transfer request on the basis that the costs to provide services exceeds the revenue received, but it may reject a request if doing so would require the creation of a new program. However, the district of choice may not deny the transfer of any special needs student, including an individual with exceptional needs, or an English Learner student even if the cost to educate the student exceeds the revenue received or the creation of a new program is required. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- Communications to parents by a school district of choice shall be factually accurate and shall not target students based upon academic ability, athletic performance, or other personal characteristics.
- The district of choice must post transfer application information on its website, including any applicable forms, the timeline for a transfer, and an explanation of the selection process.
- All communications from a school district of choice regarding transfer opportunities must be available in all languages for which translations are required in the school district of residence under EC §48985.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Entrance priority must be given as follows:
  - Siblings of students already attending school in the "district of choice" must be given first priority.
  - Pupils eligible for free or reduced-price meals must be given second priority.
  - Children of military personnel must be given third priority.
- A parent may request transportation assistance within the boundaries of the "district of choice." The district is required to provide transportation only to the extent it already does so.

- A school district in which an active military duty parent of a student resides shall not deny the transfer of that student to a school in any district, if the school district to which the parent of the student applies approves the application for transfer.

**Option 2: Other Interdistrict Transfers (EC §46600 et seq.):** The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. Districts of residence may not deny a transfer of a student whose parent is active duty military where the district of proposed enrollment approves the application, or for students who are the victim of an act of bullying unless the requested school is at maximum capacity. The law on interdistrict transfers also provides for the following:

- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.

**Option 3: Parental Employment in Lieu of Residency Transfers (EC §48204(b)):** If at least one parent of a student is physically employed in the boundaries of a school district other than the one in which they live for a minimum of 10 hours during the school week, the student may be considered a resident of the school district in which their parents work. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race, ethnicity, sex, parental income, academic achievement, or any other "arbitrary" consideration. Other provisions of EC §48204(b) include:

- Either the district in which the parent lives or the district in which the parent works may prohibit the student's transfer if it negatively impacts a desegregation plan.
- The district in which the parent works may reject a transfer if it determines that the cost of educating the student would be more than the amount of government funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent the specific reasons for denying the transfer.

### Open Enrollment Act (EC §48350 et seq.)

Whenever a student is attending a district school on the Open Enrollment List, as identified by the Superintendent of Public Instruction, the student may apply to transfer to another school within or outside of the district, if the school to which they are transferring has a higher Academic Performance Index. Districts with a school on the List must notify the parents at that school on or before the first day of the school year of their option to transfer to another public school. Information regarding the application process and applicable deadlines can be obtained from the district office.

*This summary provides an overview of the laws applicable to school attendance for each alternative. Additional information is available upon request.*

**NOTICE OF ALTERNATIVE SCHOOLS (EC §58501):** State law authorizes all school districts to provide for alternative schools. Education Code section 58500 defines an alternative school as a school or separate class group within a school that is operated in a manner designed to:

- (1) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.

- (2) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- (3) 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 result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- (4) 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.
- (5) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, student, 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 area shall have copies of the law available for your information. This law particularly authorizes interested persons to request that the governing board of the district to establish alternative school programs.

**GRADE REDUCTION/LOSS OF ACADEMIC CREDIT (EC §48980(i)):** No student shall have his/her grade reduced or lose academic credit for any excused absence pursuant to EC §48205 if missed assignments/tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

**ABSENCES FOR CONFIDENTIAL MEDICAL SERVICES (EC §46010.1):** Students in grades 7-12 and their parents are notified that the law permits schools to excuse students for the purpose of obtaining confidential medical services without parental consent. District policy regarding excusing such absences is available upon request.

**ABSENCE FOR RELIGIOUS INSTRUCTION (EC §46014):** Districts may allow pupils with parent consent to be excused to participate in religious exercises/instruction.

**NOTICE OF MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS (EC §48980(c)):** The district is required to annually notify parents of its schedule(s) of minimum days and student-free staff development days at the beginning of the year or as early as possible, but no later than one month prior to the scheduled minimum or student-free day. (*See attached.*)

### MISCELLANEOUS

**NON-MANDATORY PROGRAMS FOR PARENTAL/PUPIL PARTICIPATION (EC §49091.18):** Schools may not require a student or student's family to submit to or participate in any assessment, analysis, evaluation, or monitoring of the quality or character of student home life, parental screening or testing, nonacademic home-based counseling program, parent training, or prescribed family educational service plan.

**SEX EQUITY IN CAREER PLANNING (EC §221.5(d)):** Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions.

**SEXUAL HARASSMENT POLICY (EC §231.5; 5 CCR §4917):** Each district is required to have adopted a written policy on sexual harassment, and shall provide a copy of such policy, as it pertains to students, with the annual notification. (*See attached.*) Districts are also required to display such policies in a prominent location and include it in orientation for employees and students, and provide a copy of such policy to new and continuing students as part of any orientation program held on a quarterly, semester or summer session basis.

**DRUG FREE CAMPUS (Alcohol and Other Drug Use Prevention Education):** Possession, use or sale of narcotics, alcohol, or other controlled substances is prohibited and strictly enforced at all school activities. Records

will be forwarded to local law enforcement, and district sanctions will result from violations.

**RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS (EC §32255 et seq.):** Pupils may choose to refrain from participating in educational projects involving the dissection or otherwise harmful or destructive use of animals in accordance with the procedures set forth in EC § 32255.1,

**EVERY STUDENT SUCCEEDS ACT (20 USC §6301 et seq.):** Under ESSA, parents have the following rights:

- **Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides:** Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects she/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether she/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications. The district shall also notify parents if their child has been assigned to or has been taught for 4 or more consecutive weeks by a teacher who does not meet applicable certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.
- **Information Regarding Individual Student Reports on Statewide Assessments:** Upon request, parents have a right to information regarding any State or local policy mandating pupil assessments and the level of achievement of their student on every State and districtwide academic assessment administered to the student.
- **Limited English Proficient Students:** The Act requires prior notice be given to parents of English learners regarding limited English proficiency programs, including the reasons for the identification of the student as an English learner, the need of placement in a language instruction educational program, the student's level of English proficiency, how such level was assessed, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for English learners.

*The information provided above is available upon request from your child's school or the district office. Additional notices that may be required under the Every Student Succeeds Act shall be sent separately.*

**UNIFORM COMPLAINT PROCEDURES (5 CCR §4622):** The district is required to annually notify parents, pupils, employees, district and school advisory committees and other interested parties in writing of its required Uniform Complaint Procedures. (*See attached.*)

**SCHOOL BUSES/PASSENGER SAFETY (EC §39831.5):** Districts are required to provide safety regulations to all new students and students who have not previously been transported by school bus.

**MEGAN'S LAW NOTIFICATION (PENAL CODE §290.4):** Parents and members of the public have the right to review information regarding registered sex offenders at the main office of the local law enforcement agency for this school district.

### **EXCUSED ABSENCES (EC §48205)**

(a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

- (1) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
- (2) Due to quarantine under the direction of a county/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 or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.

(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, including absences to care for a sick child for which the school shall not require a note from a doctor.

(7) For justifiable personal reasons, including, but not limited to, an attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at a religious retreat, 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 is requested in writing by the parent and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.

(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 uniformed services, as defined in section 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.

(10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

(11) For the purpose of participating in a cultural ceremony or event.

(12)(A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.

(12)(B)(i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.

(12)(B)(ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.

(13)(A) For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died, so long as the absence is not more than three days per incident.

(i) To access services from a victim services organization or agency.

(ii) To access grief support services.

(iii) To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

(B) Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.

(14) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be

reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed one schoolday 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) For purposes of this section, the following definitions apply:

(1) A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

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

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

(4) "Victim services organization or agency" has the same meaning as defined in paragraph (7) of subdivision (g) of Section 230.1 of the Labor Code.

#### **INVESTING FOR FUTURE EDUCATION (EC §48980(d)):**

Parents are advised of the importance of investing for higher education for their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.

#### **COMPLAINTS CONCERNING DEFICIENCIES RELATED TO INSTRUCTIONAL MATERIALS, ETC. (EC §35186):**

A Uniform Complaint process is available to help identify and resolve deficiencies related to instructional materials, emergency or urgent facility conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment. Notice of the complaint process and location at which to obtain a complaint form should be posted in the classrooms.

**SCHOOL ACCREDITATION (EC §35178.4):** Districts are required to notify each parent of a pupil in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school district's or school's Internet Website, or by any combination of these methods.

**PUPIL FEES (EC §49010 et seq.):** The district is required to establish policies concerning the provision of a free education to pupils. The district is also required to establish policies for filing a complaint of noncompliance under this section using the Uniform Complaint Procedures. Notice of the district's fee policies and complaint process shall be provided to pupils, parents, and employees on an annual basis.

#### **LOCAL CONTROL AND ACCOUNTABILITY PLAN (EC §§52059.5-52077):**

The district is required to adopt a three-year Local Control and Accountability Plan (LCAP) and to update the LCAP on or before July 1 of each subsequent year. The LCAP is required to identify annual goals, specific actions geared toward implementing those goals, and must measure progress for student subgroups across multiple performance indicators based on eight priorities set by the State. The priorities must be aligned to the district's spending plan. The LCAP must be approved before the annual district budget can be adopted. Once the budget and LCAP are adopted at the local level, the plan will be reviewed by the county superintendent to ensure alignment of projected spending toward goals and services. The following are the State priorities:

1. Providing all students access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities;

2. Implementation of and student access to state academic content and performance standards;
3. Parent involvement and participation and family engagement;
4. Improving student achievement and outcomes along multiple measures;
5. Supporting student engagement;
6. Highlighting school climate and connectedness;
7. Ensuring all students have access to a broad course of study;
8. Measuring other important student outcomes related to required areas of study;
9. Coordinating instruction for expelled students; and
10. Coordinating services for foster children.

The Board of Education is required to establish a parent advisory committee (PAC) and English learner parent advisory committee (ELPAC) to provide advice to the Board of Education and the superintendent regarding the LCAP. (ELPACs are required if enrollment in the school district includes at least 15% English learners and the district enrolls at least 50 pupils who are English learners. Districts are not required to establish a new ELPAC if an English learner parent committee has already been established).

Each district is required to consult with its teachers, principals, administrators, other school personnel, local bargaining units, parents, its special education local plan area administrator(s), and pupils in developing the LCAP. As part of this consultation process, districts must present their proposed plans to the PAC and ELPAC. The advisory committees can review and comment on the proposed plan. Districts must respond in writing to the comments of the PAC and ELPAC. Districts are also required to notify members of the public that they may submit written comments regarding the specific actions and expenditures proposed in the LCAP.

Districts must hold at least two public hearings to discuss and adopt (or update) their LCAPs. The district must first hold at least one hearing to solicit recommendations and comments from the public regarding expenditures proposed in the plan, and then adopt (or officially update) the LCAP at a subsequent hearing.

Districts are required to post prominently on the homepage of the school district's website the LCAP approved by the Board of Education and any updates, revisions or addenda to the LCAP as well as post or link to the LCAP submitted by any charter school authorized by the district, and establish policies for filing a complaint of noncompliance under EC §52075 using the Uniform Complaint Procedures. Information regarding the requirements for a Local Control and Accountability Plan and the complaint process shall be provided to pupils, parents, and employees on an annual basis.

**The Age Discrimination Act (42 USC § 6101 et seq.):** The Age Discrimination Act prohibits discrimination in programs or activities receiving federal and/or state financial assistance.

**The Boy Scouts of America Equal Access Act (34 CFR § 108.6):** The Boy Scouts of America Equal Access Act requires public schools to provide equal access to the use of school property to the Boy Scouts and other designated youth groups.

**ACKNOWLEDGEMENT OF PARENT OR GUARDIAN OF ANNUAL RIGHTS NOTIFICATION**

***Detach, sign, and return this page to your child's school indicating that you have been notified of the specified activities and whether you have a child on continuing medication.***

This annual notification is also available in an electronic format and can be provided to you upon request. If the notice is provided in an electronic format, the parent or guardian shall submit to the school this signed acknowledgement of receipt of the notice.

Student's Name: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

I hereby acknowledge receipt of information regarding my rights, responsibilities, and protections.

Signature of Parent or Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

**PLEASE COMPLETE THE FOLLOWING IF APPLICABLE:**

1. Student is on a continuing medication program as prescribed by a physician: (Please check one) YES \_\_\_\_\_ NO \_\_\_\_\_

If YES, you have my permission to contact student's physician:

Physician's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Medication: \_\_\_\_\_ Dosage: \_\_\_\_\_

Medication: \_\_\_\_\_ Dosage: \_\_\_\_\_

2. If you do not wish directory information released, please sign where indicated below and ensure receipt of this form by the school office **within the next 30 days**. Note that this will prohibit the district from providing the student's name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

Do NOT release directory information regarding \_\_\_\_\_  
(Pupil's Name) (Date of Birth)

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Check if an exception may be made to include student information and photos in the yearbook.

Signature of Parent or Guardian: \_\_\_\_\_  
(Date)

3. By signing below, you give the district **permission to have photographs of your student in the yearbook** and other school related publications.

Student's Name: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Signature of Parent or Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

**DISTRITO ESCOLAR UNITADO DE BOLINAS-STINSON**  
**NOTIFICACIÓN PARENTAL ANUAL**  
**2024-2025**

ESTIMADO/A PADRE/MADRE/TUTOR/TUTORA:

La sección 48980 del Código de Educación de California requiere que se envíe al principio del primer semestre o trimestre del término regular de escuela un aviso a los padres o tutores de los estudiantes menores en el distrito escolar acerca de los derechos de los padres o tutores de acuerdo con las secciones 35291, 46014, 46015, 48205, 48207, 48208, 49403, 49423, 49451, 49472, 51938, Capítulo 2.3 (comenzando con la sección 32255) de la Parte 19, y que dé aviso de la disponibilidad del programa prescrito por el Artículo 9 (comenzando con la sección 49510) del Capítulo 9 y de la disponibilidad de instrucción individualizada bajo la sección 48206.3. La sección 48982 requiere que este Aviso se devuelva a la escuela firmado por el padre/tutor. La firma y entrega del formulario adjunto sirve de confirmación que el padre/tutor lo ha leído y que ha sido informado de sus derechos, pero no indica que ha dado o negado consentimiento para la participación en cualquier programa en particular. Conforme a la petición de los padres, el aviso anual puede darse a los padres o tutores de forma electrónica dando acceso electrónico al aviso. Si el aviso se proporciona de forma electrónica, el padre o tutor debe entregar a la escuela la confirmación de recibo de este aviso.

Alguna legislación requiere notificación adicional a los padres o tutores durante el término de la escuela o al menos 15 días antes de una actividad específica. (Se enviará a los padres o tutores una carta separada antes de cualquiera de estas clases o actividades específicas, y el estudiante será disculpado siempre que los padres o tutores hayan presentado al director de escuela una petición por escrito pidiendo que su hijo no participe.) Otra legislación otorga ciertos derechos según están expuestos en este formulario.

Por consiguiente, le avisamos de lo siguiente (cuando se usa en este aviso, "padre" incluye al padre, madre o tutor legal):

**DISCIPLINA DE ESTUDIANTES**

**REGLAS Y PROCEDIMIENTOS DE LA DISCIPLINA ESCOLAR (EC §35291):**

Las reglas acerca de la disciplina de estudiantes, incluyendo las que gobiernan la suspensión o expulsión, se delinearán en el Código de Educación, secciones 48900 y siguientes, y están disponibles en la escuela con solo pedirlo. Además, se da a los padres la siguiente información acerca de la disciplina:

**RESPONSABILIDAD EN CUANTO A LA CONDUCTA DE ESTUDIANTES (EC §44807):** Cada maestro mantendrá responsable a cada estudiante de su propia conducta al ir y venir de la escuela, y en el patio de recreo.

**RESPONSABILIDADES DE ESTUDIANTES (5 CCR §300):** Los estudiantes deben seguir las reglas escolares, obedecer todas las direcciones, ser diligentes en el estudio, ser respetuosos con sus maestros y otros de autoridad, y abstenerse de decir profanidades o vulgaridades.

**PROHIBICIÓN DE NOVATADAS/INIICIACIONES (EC §48900(q)):** Se prohíbe a los estudiantes y otras personas en asistencia participar o intentar participar en novatadas o iniciaciones.

**CÓDIGO DE VESTUARIO/ROPA DE PANDILLA (EC §35183):** El distrito está autorizado para adoptar normas de vestir razonables.

**ASISTENCIA DEL PADRE DEL ESTUDIANTE SUSPENDIDO (EC §48900.1; LC §230.7):** Si un maestro suspende a un estudiante, el maestro puede requerir que el padre del estudiante asista a la clase de su hijo durante una parte del día escolar. Los empleadores no pueden discriminar contra los padres a quienes se les requiere cumplir con este requisito.

**INFORME DE RESPONSABILIDAD ESCOLAR (EC §35256, 35258):** Los distritos deben hacer un esfuerzo concertado para notificar a los padres del propósito de los informes de responsabilidad escolar, y asegurar que todos los padres tengan acceso a una copia del informe.

**LEY DE LUGAR SEGURO PARA APRENDER (EC §234.1):** El distrito está comprometido a mantener un ambiente de aprendizaje y de trabajo libre de la intimidación, según se define en EC §48900(r). Cualquier estudiante que participe en la intimidación de alguien en o del distrito será sujeto a acción disciplinaria, incluso la expulsión. El distrito debe publicar para los estudiantes, padres empleados y agentes del consejo directivo las políticas y el proceso para presentar una queja. La notificación debe estar en inglés y en el idioma primario del receptor. Para recibir una copia de las políticas de antidiscriminación, anti-acoso, anti-intimidación, o para reportar incidentes de intimidación por favor póngase en contacto con la oficina del distrito. Estas políticas deberán estar publicadas en las escuelas y oficinas.

**RENDIMIENTO Y REGISTROS ESCOLARES**

**REGISTROS DEL ESTUDIANTE/NOTIFICACIÓN DE DERECHOS DE PRIVACIDAD DE PADRES Y ESTUDIANTES (EC §49063 et seq., §49069,**

**§49073, 34 CFR 99.30, 34 CFR 99.34, y ley federal de Derechos Educativos y Privacidad de la Familia):** Las leyes federales y estatales respetan a registros de estudiantes otorgan ciertos derechos de privacidad y derecho de acceso a estudiantes y sus padres. Se debe dar acceso total a los expedientes escritos individualmente identificables que mantiene el distrito escolar a: (1) Padres de estudiantes de 17 años y menores; (2) Padres de estudiantes de 18 años y mayores si el estudiante es dependiente para propósitos de impuestos y los archivos son necesarios para un propósito legítimo educacional; (3) Estudiantes de 18 años o mayores, o estudiantes matriculados en una institución de instrucción postsecundaria (llamados "estudiantes elegibles"); (4) Estudiantes de 14 años o mayores que se han reconocido como menor no acompañado que carece de hogar; (5) Personas que han completado y firmado una Declaración de Autorización de Persona Responsable del Cuidado del Menor.

Los padres, o un estudiante elegible, pueden revisar registros individuales con solicitarlo al director. Los distritos deben responder a la petición del expediente de un estudiante dando acceso no más de cinco días laborables luego de la fecha de la solicitud. El director se encargará de que se den explicaciones e interpretaciones si se solicitan. Cualquier información que se alega ser incorrecta o inadecuada se puede eliminar con solicitarlo. Además, los padres o estudiantes elegibles pueden recibir una copia de cualquier información en el expediente pagando un coste de copias razonable por cada página. Las políticas y procedimientos del distrito relacionadas a la ubicación y tipos de registros, tipo de información retenida; disponibilidad de personal titulado para interpretar los registros, si se solicita; personas responsables de los registros; información de directorio; acceso por otras personas; y revisión y cuestionar registros están disponibles a través del director de cada escuela. Cuando se traslada un estudiante a un nuevo distrito, se trasladará el expediente dentro del plazo de diez días escolares después de solicitarlo el nuevo distrito. A la hora de trasladarlo, el padre o estudiante elegible podrán revisar, recibir una copia (por una cuota razonable), y/o cuestionar el expediente.

Si usted cree que el distrito no está en cumplimiento con los reglamentos federales de privacidad, usted puede presentar una queja al Depto. de Educación de Estados Unidos (20 USC §1232g).

Usted tiene el derecho de inspeccionar todos los materiales de instrucción que se utilizarán en conexión con cualquier encuesta, análisis, o evaluación como parte de cualquier programa aplicable.

**DIVULGACIÓN DE INFORMACIÓN DE DIRECTORIO DE ESTUDIANTES (EC §49073, 34 CFR 99.37):** El distrito también mantiene disponible información de directorio de estudiantes de acuerdo con las leyes federales y estatales. Esto significa que el nombre, fecha de nacimiento, lugar de nacimiento, dirección, número de teléfono, dirección de e-mail, curso de estudio principal, participación en actividades escolares oficialmente reconocidas, fechas de asistencia, títulos o premios recibidos, y asistencia más reciente en una escuela pública o privada previa, pueden ser divulgados de acuerdo con la política del consejo directivo. Además, se puede dar la estatura y peso de los atletas. Se puede proporcionar información de directorio adecuada a cualquier agencia o persona excepto

organizaciones lucrativas privadas (con excepción de empleadores, empleadores potenciales o los medios publicitarios). La información del directorio no incluye estatus de ciudadanía, estatus migratorio, lugar de nacimiento ni cualquier otra información que indique origen nacional (excepto donde el distrito reciba consentimiento tal y como requiere la ley estatal). Se puede dar a las escuelas o universidades públicas o privadas los nombres y direcciones de los estudiantes de 12º grado o estudiantes que cesan sus estudios. Se notificará a los padres y estudiantes elegibles antes de destruir cualquier expediente de educación especial. Usted tiene el derecho de inspeccionar una encuesta u otro instrumento que se administre o distribuya a su hijo que recolecte información personal para marketing o venta o que solicite información acerca de creencias y prácticas, así como cualquier material de instrucción que se use como parte del currículo educacional de su hijo. Por favor contacte a la escuela de su hijo si desea inspeccionar tal encuesta u otro instrumento.

*Al recibir una solicitud escrita del padre de un estudiante de 17 años o menor, el distrito no divulgará la información de directorio del estudiante. Si lo solicita por escrito un estudiante de 18 años o mayor o que esté matriculado en una institución postsecundaria, se honrará la solicitud de negar acceso a la información de directorio. Las solicitudes deberán presentarse dentro del plazo de 30 días cronológicos de cuando recibe este aviso. (Ver el formulario adjunto.) Además, la información de directorio relacionada a menores no acompañados o que carecen de hogar no se divulgará sin el expreso consentimiento escrito para divulgarlo por el tutor o estudiante elegible.*

**DIVULGACIÓN DE INFORMACIÓN A SERVICIOS MILITARES/DIVULGACIÓN DE NÚMEROS DE TELÉFONO (EC §49073.5; 20 USC §7908):** Los padres de estudiantes de secundaria pueden pedir por escrito que no se de a los reclutadores de las fuerzas armadas el nombre, dirección y teléfono del estudiante sin su previo consentimiento escrito.

**PARTICIPACIÓN EN EVALUACIONES ESTATALES Y OPCIÓN DE SOLICITAR EXENCIÓN (EC § 60615, 5 CCR § 852):** Los estudiantes de los grados aplicables participarán en la prueba estatal de rendimiento y progreso (*California Assessment of Student Performance and Progress*, CAASPP por sus siglas en inglés) excepto cuando lo exencione la ley. Cada año, los padres pueden entregar por escrito una solicitud de exención de su hijo de toda o partes de la prueba CAASPP durante ese curso escolar. Si los padres entregan la solicitud de exención después de comenzar las pruebas, cualquier prueba(s) realizada antes de entregarse la solicitud se calificará; los resultados se incluirán en el expediente del estudiante y se comunicarán a los padres. Los empleados del distrito no ofrecerán ni alentarán solicitudes de exención a nombre de ningún estudiante ni grupo de estudiantes.

**TASAS DE EXÁMENES DE EMPLAZAMIENTO AVANZADO (EC §48980(j), EC §52242):** Hay disponibles fondos estatales para cubrir los costes de las tasas de los exámenes de emplazamiento avanzado.

**CURRÍCULO DE PREPARATORIA: NOTIFICACIÓN ACERCA DE LOS CURSOS DE PREPARACIÓN UNIVERSITARIA (EC§51229):** Los distritos están obligados a notificar por escrito a los padres de cada estudiante menor matriculado en los grados 9º a 12º de los requisitos de admisión universitaria y cursos de educación técnica y profesional.

**DIVULGACIÓN DE REGISTROS ESTUDIANTILES / CUMPLIMIENTO CON UNA CITACIÓN U ORDEN JUDICIAL (EC §§49076 y 49077):** Se requiere que los distritos hagan un esfuerzo razonable de notificar a los padres de la divulgación de información estudiantil conforme a una citación u orden de la corte.

**DIVULGACIÓN DE REGISTROS ESTUDIANTILES A OFICIALES ESCOLARES Y EMPLEADOS DEL DISTRITO (EC §§49076 (A)(1) Y 49064 (D)):** Los distritos pueden divulgar registros académicos, sin haber obtenido consentimiento previo por escrito del padre, a cualquier oficial o empleado escolar, incluyendo contables, consultores, contratistas, u otros proveedores de servicios, que tengan un interés educativo legítimo en el expediente académico

#### **SERVICIOS DE SALUD**

**ALMACENAMIENTO SEGURO DE ARMAS DE FUEGO (EC § 49392):** Una agencia educativa local que atiende a estudiantes de kindergarten o de cualquiera de los grados 1 a 12, inclusive, deberá, basándose en el contenido modelo del Departamento de Educación de California, informar a los padres, madres o tutores de las leyes de prevención de acceso de menores de California

y de las leyes relacionadas con el almacenamiento seguro de armas de fuego. El aviso requerido debe incluir la siguiente información relacionada con el almacenamiento seguro de armas de fuego: Los incidentes de niños que traen armas de fuego a la escuela pueden reducirse almacenando las armas de fuego de manera segura y protegida, lo que incluye guardarlas en un contenedor cerrado con llave o aseguradas con un dispositivo de cierre que haga que el arma de fuego sea inoperable y almacenar las armas de fuego separadas de la munición.

**EXAMEN FÍSICO/NEGACIÓN DE CONSENTIMIENTO PARENTAL (EC §49451):** Un niño puede exentarse del examen físico cuando los padres entreguen anualmente al director una declaración escrita negando consentimiento para el examen físico rutinario de su hijo. Cuando haya buen motivo de pensar que el niño está sufriendo de una enfermedad contagiosa, será excluido de asistir a la escuela.

**REVISIÓN DE LA VISTA (EC §49455):** El distrito está obligado a evaluar la vista de cada estudiante durante kindergarten, al inscribirse por primera vez, y en los grados 2, 5, y 8. No se requiere la revisión en el año inmediatamente después de haberse inscrito por primera vez el estudiante en 4º o 7º grado. La evaluación de la vista incluirá miopía, visión de lejos y percepción de colores; sin embargo, la percepción de colores se evaluará sólo una vez y sólo en estudiantes varones. La revisión puede ser exencionada con presentar un certificado de un médico, cirujano, asistente de médico, u optometrista que presente los resultados de una determinación de la vista del estudiante, incluyendo la agudeza visual y percepción de colores. Esta revisión no se requiere si los padres han presentado al director de escuela una objeción escrita basada en una creencia religiosa.

**NOTIFICACIÓN DE REVISIÓN DE ESCOLIOSIS (EC §§49451 y 49452.5):** Además de las evaluaciones físicas requeridas según sección 100275 del Código de Salud y Seguridad, el distrito puede ofrecer una revisión espinal a todas las niñas de 7º grado y niños de 8º grado para la condición conocida como escoliosis.

**TRATAMIENTO DENTAL CON FLUOR (H&SC §104830 et seq.):** Los estudiantes tendrán la oportunidad de recibir la aplicación tópica de flúor u otro agente anti-carías en los dientes si el padre o el estudiante elegible entrega una carta indicando que desea el tratamiento.

**NUTRICIÓN DEL ESTUDIANTE / NOTIFICACIÓN DE COMIDAS GRATIS O A PRECIO REDUCIDO (EC §§48980(b), 49510, 49520 y 49558):** Los niños necesitados pueden calificar para recibir comida gratis o a precio reducido. Los detalles, criterios de elegibilidad, y aplicaciones para participar en un programa de comidas gratis o a precio reducido están disponibles en la escuela de su hijo. Los registros relacionados a la participación de estudiantes en cualquier programa de comidas gratis o a precio reducido pueden, bajo circunstancias adecuadas, ser utilizadas por empleados del distrito escolar para identificar a estudiantes elegibles para la opción de escuela pública y servicios conforme a la ley federal Cada Estudiante Triunfa (*Every Student Succeeds Act*). Cuando se selecciona un hogar para verificar la elegibilidad para recibir comidas gratis o a precio reducido, el distrito debe avisar a los padres que la elegibilidad de su(s) hijo(s) se está verificando.

**ENFERMEDADES CONTAGIOSAS (EC §48216 y49403):** El distrito está autorizado para administrar agentes inmunizantes a estudiantes, cuyos padres han dado consentimiento por escrito a la administración de tal agente inmunizante. El distrito está obligado a excluir a estudiantes que no han sido adecuadamente vacunados conforme al Código de Salud y Seguridad 120325 y 120335. El distrito deberá notificar a los padres que tienen dos semanas para presentar un comprobante de que el estudiante ha sido vacunado adecuadamente o que está exencionado del requisito. Se exige que todos los estudiantes empezando en kindergarten, ascendiendo de sexto a séptimo grado en el distrito, o anterior a su primera admisión al distrito, cumplan con los requisitos de inmunización de la sección 120335 del Código de Salud y Seguridad, al no ser que el estudiante presente al distrito una exención válida de un médico licenciado. No se aceptará ninguna exención nueva basada en creencias personales. Los estudiantes con una exención por creencias personales ya archivada con el distrito el 1 de enero de 2016 podrán seguir matriculados hasta empezar en el siguiente intervalo de grados en el distrito. Los intervalos de grado se definen como nacimiento hasta preescolar, K a 6º, incluyendo kinder transicional, y 7º a 12º. Los estudiantes que han calificado para un programa de educación individualizado podrán acceder a su educación especial y servicios relacionados según lo requiera su programa de educación

individualizado.

**MEDICACIONES (EC §49423, §49423.1):** Cualquier estudiante que necesita tomar en la escuela medicaciones recetadas y que desea la ayuda del personal escolar debe entregar las instrucciones escritas del médico y una solicitud de los padres para ayuda en administrar la medicación. Los estudiantes pueden también llevar y administrarse ellos mismos epinefrina autoinyectable y medicamentos inhalados recetados para el asma cuando la escuela haya recibido una confirmación especificada escrita con instrucciones para la autoadministración y la autorización del padre y médico o cirujano del estudiante. El padre debe liberar al distrito escolar y el personal de cualquier responsabilidad de cualquier daño que pueda resultar del medicamento autoadministrado, y proporcionar un permiso autorizando al personal escolar autorizado para consultar con el médico o cirujano.

**SERVICIOS MÉDICOS Y HOSPITALARIOS PARA ESTUDIANTES (EC §§49471 y 49472):** Se requiere al distrito que notifique a los padres por escrito si no ofrece o no pone a disposición servicios médicos y hospitalarios para estudiantes que se lesionan mientras participan en actividades atléticas. El distrito está también autorizado para proveer servicios mediante corporaciones no lucrativas o pólizas de seguro para lesiones que sufran los estudiantes derivadas de actividades relacionadas a la escuela.

**DISPONIBILIDAD DE INSTRUCCIÓN INDIVIDUALIZADA / PRESENCIA DE UN ESTUDIANTE CON DISCAPACIDAD TEMPORAL EN EL HOSPITAL (EC §§48206.3, 48207-48208):** Hay instrucción individualizada disponible para estudiantes con discapacidades temporales cuya discapacidad resulta en que su asistencia a clases diurnas regulares o programa de educación alternativo en el que está inscrito sea imposible o desaconsejable. Los padres de estudiantes hospitalizados o discapacitados temporalmente deben avisar al distrito o distritos escolares donde el estudiante asista, resida y/o donde el estudiante reciba cuidados si se desea un programa de instrucción individualizada.

**RÉGIMEN CONTINUO DE MEDICACIÓN (EC §49480):** Los padres de cualquier estudiante en un régimen continuo de medicación debido a una condición no episódica deberá informar a la enfermera escolar y otro personal titulado de la medicación recetada, la dosis actual, y el nombre del médico supervisor. (**Ver formulario adjunto.**) Con el consentimiento del padre, la enfermera escolar puede comunicarse con el médico y aconsejar al personal escolar con relación a los posibles efectos de la medicación sobre el comportamiento físico, intelectual, y social del niño/a, así como las señales y síntomas de los efectos secundarios adversos, omisión o sobredosis.

**ROPA PROTECTORA CONTRA EL SOL/USO DE CREMA PROTECTORA (EC §35183.5):** Las escuelas deben de permitir el uso de ropa protectora contra el sol y deben permitir a los estudiantes utilizar durante el día escolar crema protectora, sin la receta o nota de un médico.

**ASBESTOS (40 CFR 763.84, 40 CFR 763.93):** El distrito tiene un plan para eliminar los riesgos de salud creados por la presencia de asbestos en edificios escolares. Puede revisar el plan en la oficina del distrito. Al menos una vez al año, el distrito avisará a los padres de las inspecciones, acciones de respuesta, y actividades post-acciones de respuesta que están planificadas o en progreso.

**USO DE PESTICIDAS (EC §§17611.5, 17612 y 48980.3):** Se requiere que los distritos escolares informen a los padres del uso de insecticidas en los recintos escolares y que den acceso al plan integrado de manejo de plagas cuando se utilizan ciertos pesticidas. (**Ver el adjunto.**)

**PLAN EXHAUSTIVO DE SEGURIDAD ESCOLAR (EC §32280 et seq.):** Se requiere que cada escuela incluya en su informe anual de responsabilidad escolar (SARC por sus siglas en inglés) información sobre el estado de su plan de seguridad escolar, incluyendo una descripción de los elementos principales. Se requiere que el comité de planificación celebre una reunión pública para permitir que el público tenga la oportunidad de expresar una opinión acerca del plan escolar. El comité planificador deberá notificar a ciertas personas y entidades por escrito.

**NOTIFICACIÓN DE CUMPLIMIENTO (EC §32289):** Se puede presentar una queja de incumplimiento con los requisitos de planificación de seguridad escolar al Departamento de Educación del Estado bajo el procedimiento uniforme para presentar quejas. (5 CCR 4600 et seq.)

**ESCUELAS LIBRES DE TABACO (HS §104420):** Está terminantemente prohibido a todas horas el uso de productos de tabaco por estudiantes, personal, padres, o visitantes en edificios propios o alquilados por el distrito, propiedades distritales, y vehículos distritales. Esta prohibición se aplica a todo empleado, estudiante, y visitante en cualquier programa de instrucción, actividad o evento atlético patrocinado por la escuela que se celebre en o fuera de propiedad distrital. Los productos prohibidos incluyen cualquier producto que contenga tabaco o nicotina, incluyendo, pero no limitándose a, tabaco sin humo, *snuff*, masticado, cigarrillos de clavo, y cigarrillos electrónicos capaces de administrar soluciones vaporizadas de nicotina o sin nicotina. Se pueden hacer excepciones para el uso o posesión de productos de nicotina con receta médica. A cualquier empleado o estudiante que viole la política distrital de escuelas libres de tabaco se le pedirá que se abstenga de fumar y éste será sujeto a acción disciplinaria según sea apropiado.

### SERVICIOS ESTUDIANTILES

**EDAD MÍNIMA PARA ADMISIÓN A KINDERGARTEN (EC §48000):** Un niño/a podrá matricularse en kinder al principio del curso escolar o más tarde durante el mismo curso, si ha cumplido los cinco años en o antes del 1 de septiembre. Para el año escolar 2024-25, cualquier niño/a que cumpla su quinto aniversario entre el 2 de septiembre y el 2 de junio será admitido en un programa de kinder transicional de acuerdo con la ley y la política distrital. Según el caso individual, un niño/a que haya cumplido cinco años después de la fecha de arriba, pero antes del fin del curso aplicable, podrá ser admitido a kindergarten de transición con la aprobación del padre y sujeto a la aprobación del consejo directivo conforme a EC §48000. Un distrito escolar puede emplazar a un estudiante que tenga su cuarto cumpleaños el o antes del 1 de diciembre, y esté matriculado en un programa de preescolar de California, en un salón de clase de kindergarten de transición de acuerdo con EC §48000.

### **ESTUDIANTES EMBARAZADAS Y ESTUDIANTES QUE SEAN**

**PADRES/MADRES (EC §§ 221.51, 222, 222.5, 46015):** Los distritos no pueden excluir ni denegar a ningún estudiante programa o actividad educativa alguna en base a embarazo, parto, falso embarazo, interrupción del embarazo o recuperación de esta de una estudiante, y tratará estas condiciones del mismo modo y según las mismas normativas que cualquier otra condición temporal discapacitante. Una estudiante embarazada o un/a estudiante que sea padre/madre de un hijo/a tiene derecho a 8 semanas de baja por paternidad/maternidad, o baja adicional si se considera médicamente necesaria por parte del doctor del estudiante. Durante la baja por paternidad/maternidad, las ausencias serán excusadas y no se requerirá que el/la estudiante complete trabajo académico ni cumpla otros requisitos escolares. Después de regresar de una baja por paternidad/maternidad, un/a estudiante puede volver al curso de estudio en el cual estaba previamente inscrito/a, tiene derecho a recuperar el trabajo perdido, y a hacer un quinto curso de instrucción en escuela preparatoria si fuese necesario para completar los requisitos de graduación. Un estudiante puede elegir asistir a una opción de educación alternativa en lugar de regresar a la escuela en la que estaba matriculado/a antes de la baja por paternidad/maternidad. Las escuelas ofrecerán adaptaciones razonables a una estudiante lactante en un campus escolar para extraer leche materna, amamantar a un bebé, o dar respuesta a otras necesidades relacionadas con la lactancia. Un estudiante no incurrirá en penalización académica como resultado de su utilización de estas adaptaciones.

**PROSPECTO DEL CURRÍCULO ESCOLAR (EC §49091.14):** El currículo de cada curso ofrecido por las escuelas del distrito lo acumula cada escuela en un prospecto. El prospecto de cada escuela está disponible en cada escuela con solo solicitarlo. Se pueden pedir copias por una cuota que no exceda el coste actual de hacer la copia.

**EDUCACIÓN MULTILINGÜE (EC §310):** Si el distrito implementa un programa de adquisición de idiomas según EC §310, se proporcionará junto con este aviso o a la hora de matriculación la información acerca de los tipos de programas de idioma disponibles y una descripción de cada programa.

**EDUCACIÓN ESPECIAL (IDEA):** Las leyes federales y estatales requieren que se ofrezca una educación pública adecuada y gratuita (FAPE) en el ambiente menos restrictivo a estudiantes discapacitados de 3-21 años. Puede obtener más información acerca de la elegibilidad de estudiantes, derechos de padres y garantías procesales con solicitarlo.

**EDUCACIÓN ESPECIAL; SISTEMA CHILD FIND (EC §56301):** Cualquier padre que sospeche que un niño/a tiene necesidades excepcionales puede pedir una evaluación para servicios de educación especial a través del director de escuela. La política y procedimientos deberá incluir notificación escrita a todos los padres de sus derechos conforme a EC §56300.

**QUEJAS DE EDUCACIÓN ESPECIAL (5 CCR §3080):** Los reglamentos estatales requieren que el distrito establezca procedimientos para tratar con las quejas de educación especial. Si usted piensa que el distrito está en violación de las leyes federales o estatales que rigen la identificación o colocación de un estudiante de educación especial o asuntos similares, puede presentar al distrito una queja por escrito. Los reglamentos estatales requieren que el distrito mande su queja al Superintendente de Instrucción Pública del Estado. Puede obtener los procedimientos de su director de escuela.

**SECCIÓN 504 / ESTUDIANTES DISCAPACITADOS (Sección 504 del Acto de Rehabilitación de 1973):** La ley federal requiere que el distrito notifique anualmente a los estudiantes discapacitados y a sus padres del deber y la política distrital de no discriminación bajo la sección 504 de la Ley de Rehabilitación.

**DECLARACIÓN DE NO DISCRIMINACION (Título VI de la Ley de Derechos Civiles de 1964; Título IX de las Enmiendas a la Educación de los Estados Unidos de 1972; Ley de Americanos con Discapacidades; Sección 504 de la Ley de Rehabilitación Vocacional de 1973; EC §200 et seq.):** El distrito no discrimina por motivos de género, identidad de género, expresión de género, sexo, raza, color, religión, origen nacional, identificación de grupo étnico, edad, información genética, discapacidad mental o física, orientación sexual, estatus migratorio o la percepción de una o más de tales características. La política distrital de no-discriminación requiere notificación en el idioma materno si el área de servicio distrital contiene una comunidad de personas de minoridad con conocimiento limitado del inglés. La notificación debe incluir que el distrito tomará medidas para asegurar que la falta de hablar el inglés no será una barrera a la admisión y participación en programas distritales. Esta política se aplica a todos los estudiantes en cuanto a la participación en programas y actividades, con pocas excepciones tales como deportes de contacto. Según la ley federal, cualquier queja que alega incumplimiento de esta política deberá dirigirse al director de escuela. Las apelaciones pueden hacerse al superintendente del distrito. Puede obtener una copia de la política distrital de no-discriminación con solo solicitarlo.

**IGUALDAD EDUCATIVA INDEPENDIENTE DE ESTATUS MIGRATORIO, CIUDADANÍA O RELIGIÓN (EC §234.7):** Los niños tienen derecho a una educación pública gratuita, independientemente de su estatus migratorio, estatus de ciudadanía o creencias religiosas. Cuando inscriben a un estudiante, las escuelas deben aceptar diversos documentos de los padres del estudiante para demostrar prueba de la edad o residencia del estudiante. No se requiere información alguna sobre estatus de ciudadanía/migratorio ni número de Seguridad Social para matricularse en la escuela. Los padres tienen la opción de proporcionar a la escuela información de contacto en caso de emergencia. Incluye la información de contactos secundarios, para identificar a un adulto de confianza que pueda cuidar de un estudiante menor de edad en el caso de que los padres sean detenidos o deportados. Los padres tienen la opción de completar una Declaración Jurada de Autorización de Cuidador o una Petición de Nombramiento de Tutor Temporal de la Persona, que puede permitir a un adulto de confianza tomar decisiones educativas y médicas en nombre de un estudiante menor de edad. Los estudiantes tienen el derecho a informar sobre un crimen de odio o presentar una reclamación ante el distrito escolar si se están viendo discriminados, intimidados o acosados en base a su nacionalidad, etnia o estatus migratorio real o percibido. El distrito no divulgará información a terceras partes para fines relacionados con el cumplimiento sobre inmigración, excepto si lo requiere la ley o una orden judicial. La página web del Fiscal General de California proporciona recursos online para "conocer sus derechos" para estudiantes inmigrantes y miembros de las familias en <https://oag.ca.gov/immigrant/rights>.

**PROGRAMA DE HUELLAS DACTILARES (EC §32390):** Los distritos escolares están autorizados para ofrecer programas de huellas dactilares para niños de kínder o recién matriculados en el distrito. Si el distrito ha adoptado tal programa, se le notificará a la hora de la matriculación inicial de los procedimientos, cuota aplicable y su derecho de negar la participación de su hijo.

**SITUACIONES DE NIÑOS SIN HOGAR (42 USC §11431-11435):** Cada distrito

local nombrará a un enlace para niños sin hogar que será responsable de asegurar la diseminación del aviso público de los derechos educativos de estudiantes en situaciones de carencia de hogar.

## **EDUCACIÓN SEXUAL / VIH**

**INSTRUCCIÓN EN EDUCACION INTEGRAL DE SALUD SEXUAL Y PREVENCIÓN DEL VIH (EC §§51938):** El distrito debe notificar a los padres anualmente de la educación que tienen programada para el curso escolar en cuanto a la instrucción en la educación integral sobre la salud sexual y la educación sobre la prevención del VIH e investigaciones/estudios acerca de los comportamientos y riesgos de estudiantes. Los materiales escritos y audiovisuales utilizados en la instrucción están disponibles para inspección. Si los arreglos para la instrucción se hacen después de comenzar el curso escolar, los padres serán notificados no menos de 14 días antes del comienzo de tal instrucción si el distrito opta por proveer la instrucción mediante contratistas externos en clase o durante una asamblea. El aviso debe incluir la fecha de la instrucción, el nombre de la organización o la afiliación de cada presentador y la información que los padres tienen derecho de pedir una copia de la ley relacionada a dicha instrucción. Los padres tienen derecho a disculpar a su hijo de toda o parte de la educación integral de salud sexual y de la prevención del VIH solicitándolo por escrito al distrito. Aquellos estudiantes cuyos padres no hayan presentado una solicitud escrita para disculparles recibirán dicha instrucción. La ley también autoriza al distrito, sin previo consentimiento parental, a utilizar investigaciones anónimas, voluntarias y confidenciales y herramientas de evaluación para medir los comportamientos y riesgos de la salud de estudiantes, incluyendo exámenes, cuestionarios, y encuestas en grados 7 a 12 que contengan preguntas adecuadas a la edad acerca de las actitudes o prácticas de estudiantes respecto al sexo. El distrito deberá avisar a los padres por escrito antes de administrar tales pruebas, cuestionarios, o encuestas y ofrecerles la oportunidad de examinar los materiales. Los padres tienen derecho a disculpar a su hijo de participar solicitándolo por escrito al distrito.

**INSTRUCCIÓN DE SALUD/CONFLICTOS CON FORMACIÓN Y CREENCIAS RELIGIOSAS (EC §51240):** Cuando un padre lo pida por escrito, se permitirá que un estudiante sea excusado de parte de cualquier instrucción escolar sobre la salud si está en conflicto con la formación y creencias religiosas del padre.

## **ASISTENCIA ESCOLAR/ ALTERNATIVAS A LA ASISTENCIA**

La ley de California (EC §48980(g)) requiere que todos los consejos directivos informen a los padres de cada estudiante al principio de cada año escolar de las varias maneras en que pueden elegir escuelas para sus hijos además de las que les asigna el distrito escolar. Los estudiantes que asisten a escuelas que no les ha asignado el distrito se conocen como "estudiantes de traslado" a través de este aviso. Existe un proceso para elegir una escuela dentro del distrito en el que vive el padre (traslado intradistrito), y potencialmente tres procesos distintos para elegir escuelas en otros distritos (traslado interdistrito). Los requisitos generales y limitaciones de cada proceso se detallan a consiguiente:

### **Elección de escuela dentro del distrito en el que viven los padres:**

La ley (EC §35160.5(b)) requiere que el consejo directivo de cada distrito establezca una política que permita a los padres elegir las escuelas en donde asistirán sus hijos, sin importar donde viven dentro del distrito. La ley limita la opción de elegir dentro del distrito escolar según lo siguiente:

- Los estudiantes que viven en el área de asistencia de una escuela deben recibir prioridad para asistir a esa escuela por encima de estudiantes que no viven en el área de asistencia de la escuela.
- En casos cuando hay más solicitudes para asistir a una escuela que cupos disponibles, el proceso de selección será "al azar e imparcial," lo cual generalmente significa que los estudiantes serán seleccionados por medio de un proceso de lotería, en vez de según el orden de entrega de la solicitud. El distrito no puede usar el rendimiento académico ni el atletismo de un estudiante como motivo de aceptar o negar un traslado.
- Cada distrito deberá decidir el número de cupos disponibles en cada escuela que pueden ocupar estudiantes de traslado. Cada distrito también tiene la autoridad de mantener un equilibrio racial y étnico adecuado en sus escuelas, lo cual significa que el distrito puede negar la solicitud de

traslado si esta alterase este equilibrio o si dejase al distrito fuera de cumplimiento con un programa de desegregación voluntario o mandado por la corte.

- Cada distrito puede adoptar una normativa de selección de escuela que tenga en consideración circunstancias especiales que puedan ser dañinas para un estudiante en particular, si un hermano del estudiante ya asiste a la escuela, y/o si el padre/madre del estudiante está empleado/a en la escuela.
- Si se niega un traslado, el padre no tiene el derecho automático de apelar la decisión. Sin embargo, el distrito puede decidir voluntariamente establecer un proceso para que los padres apelen una decisión.

#### **Elección de escuela fuera del distrito en el que viven los padres:**

Los padres tienen tres opciones distintas para elegir una escuela fuera del distrito en donde viven. Las tres opciones son:

**1ª Opción: Distrito de opción (EC § 48300 al 48315):** La ley permite, pero no requiere, que cada distrito escolar sea un "distrito de opción" – o sea, un distrito que acepta estudiantes de traslado de fuera del distrito bajo los términos de las secciones citadas del Código de Educación. Si el consejo directivo de un distrito decide hacerse un "distrito de opción" debe determinar el número de estudiantes que aceptará cada año en esta categoría y aceptar a todos los estudiantes que soliciten transferencia hasta que el distrito escolar esté a plena capacidad. El distrito escolar de elección deberá garantizar que los estudiantes admitidos en base a este artículo sean seleccionados mediante un proceso sin sesgos, que prohíba la consideración de factores como rendimiento académico o deportivo, condiciones físicas o competencia en inglés. Si el distrito opta por no hacerse un "distrito de opción," los padres no pueden solicitar un traslado bajo estas provisiones. Otras provisiones de la opción de "distrito de opción" incluyen:

- Tanto el distrito al que se trasladaría un estudiante como el distrito del que trasladaría puede negar un traslado si éste afectase adversamente el equilibrio racial y étnico del distrito, o un plan de desegregación voluntario o mandado por la corte. Un distrito de opción no puede negar una solicitud de traslado basado en que los gastos de proveer servicios excederían los ingresos, pero sí puede negar una solicitud si ésta requiriese que se creara un programa nuevo. Sin embargo, el distrito de opción no puede negar el traslado de estudiantes con necesidades especiales, incluyendo estudiantes con necesidades excepcionales, y estudiantes aprendices del inglés (*English Learners*) aún si el coste de educar al estudiante excede los ingresos recibidos o si requiere la creación de un programa nuevo. El distrito del que se traslada un estudiante puede también limitar el número total de estudiantes que se trasladan cada año fuera del distrito a un porcentaje determinado del número total de matrículas, dependiendo del tamaño del distrito.
- Las comunicaciones de un distrito de opción con los padres contendrán información precisa y no estarán dirigidas a estudiantes basado en su rendimiento académico, habilidad atlética, u otras características individuales.
- El distrito de opción debe publicar información de solicitud de transferencia en su página web, incluyendo cualquier formulario aplicable, el calendario de transferencia, y una explicación del proceso de selección.
- Todas las comunicaciones de un distrito de opción sobre oportunidades de transferencia deben estar disponibles en los lenguajes en los que se requiera traducción en el distrito escolar de residencia, en base a EC §48985.
- Ningún estudiante que asiste actualmente a una escuela o reside dentro del área de asistencia de una escuela puede ser obligado a dejar esa escuela para hacer sitio para un estudiante que se traslada bajo estas provisiones.
- La prioridad de entrada debe concederse en base a lo siguiente:
  - Se deberá dar la primera prioridad de transferencia a los hermanos de estudiantes que ya asisten a la escuela en el "distrito de opción".
  - Estudiantes elegibles para comidas gratis o a precio reducido deben tener la segunda prioridad.
  - Los hijos de personal militar deben tener tercera prioridad.
- Los padres pueden pedir ayuda de transporte dentro de los límites fronterizos del "distrito de opción". El distrito está obligado a proveer transporte solo si ya lo está haciendo.

- El distrito escolar en el que reside uno de los padres mientras está de servicio militar activo no negará el traslado de ese estudiante a una escuela en cualquier distrito, si el distrito escolar al que hizo la solicitud el padre del estudiante aprueba la solicitud de traslado.

**2ª Opción: Otros traslados interdistritales (EC §46600 et. Seq.):** La ley permite que dos o más distritos entren en un acuerdo para el traslado de uno o más estudiantes por un periodo de hasta cinco años. Se pueden hacer nuevos acuerdos para periodos adicionales de hasta cinco años cada uno. El acuerdo debe de especificar los términos y condiciones bajo los cuales se permiten los traslados. El distrito en el que viven los padres no puede negar el traslado de un estudiante cuyo padre/madre está de servicio militar activo cuando el distrito de la propuesta matriculación ha aprobado la solicitud, o para estudiantes que sean víctima de un acto de acoso a menos que la escuela solicitada esté al máximo de capacidad. La ley de traslados interdistritales también comprende lo siguiente:

- Si cualquiera de los distritos niega el traslado, el padre puede apelar la decisión al consejo de educación del condado. Existen tiempos límite determinados por ley para presentar una apelación y para que el consejo de educación del condado tome una decisión.

**3ª Opción: Traslados por empleo de los padres en vez de residencia (EC §48204(b)):** Cuando al menos uno de los padres de un estudiante está físicamente empleado dentro de los límites fronterizos del distrito escolar que no sea el distrito en el que viven durante al menos 10 horas de la semana escolar, el estudiante puede considerarse residente del distrito escolar en el que trabajan sus padres. Esta sección del código no requiere que un distrito escolar acepte a un estudiante que solicita un traslado por este motivo, pero el estudiante no puede ser negado el traslado por motivo de raza, etnicidad, sexo, ingreso de los padres, rendimiento académico, ni cualquier otra consideración "arbitraria". Otras provisiones de §48204(b) incluyen:

- Tanto el distrito en el que vive el padre o el distrito en el que trabaja el padre puede prohibir el traslado del estudiante si impacta negativamente un plan de desegregación.
- El distrito en el que vive el padre puede negar un traslado si determina que el coste de educar al estudiante sería más de la cantidad de fondos gubernamentales que recibiría el distrito para educar al estudiante.
- Existen límites determinados (basado en la matriculación total) en el número neto de estudiantes que pueden trasladarse fuera de un distrito bajo esta ley, al no ser que el distrito apruebe un número mayor de traslados.
- No hay proceso de apelación para la negación de un traslado. Sin embargo, el distrito que no admite al estudiante debe de dar por escrito al padre las razones concretas por las que ha negado el traslado.

#### **LeY de Matriculación Abierta (EC §48350 et seq.)**

Cuando un estudiante asiste a una escuela del distrito en la Lista de Matriculación Abierta, según lo haya identificado el Superintendente de Instrucción Pública, el estudiante puede solicitar un traslado a otra escuela dentro o fuera del distrito, si la escuela a la que se traslada tiene un índice de rendimiento académico (*Academic Performance Index*, API por sus siglas en inglés) superior. Los distritos con una escuela en la Lista deben notificar a los padres en esa escuela antes de o en el primer día de escuela de su opción de trasladarse a otra escuela pública. La información acerca del proceso de solicitud y las fechas límites aplicables están disponibles en la oficina distrital.

*A consiguiente se da un resumen de las leyes aplicables a la asistencia escolar para cada alternativa. Para más información contacte al distrito.*

**NOTIFICACIÓN DE ESCUELAS ALTERNATIVAS (EC §58501):** La ley estatal autoriza a todos los distritos escolares a ofrecer escuelas alternativas. La sección 58500 del Código de Educación define una escuela alternativa como una escuela o clase en grupo separado dentro de una escuela que opera de manera que:

- (1) Maximiza la oportunidad para que los estudiantes desarrollen valores de autosuficiencia, iniciativa, amabilidad, espontaneidad, ingeniosidad, valor, creatividad, responsabilidad, y alegría.
- (2) Reconoce que se aprende mejor cuando el estudiante aprende porque tiene deseo de aprender.
- (3) Mantiene una situación educativa que maximiza la motivación propia del estudiante y le anima a perseguir sus propios intereses a su propio ritmo. Estos

intereses podrían resultar en parte o en total de una presentación por su(s) maestro(s) de las opciones de proyectos educativos.

(4) Maximiza la oportunidad de maestros, padres y estudiantes de desarrollar de manera cooperativa el proceso de aprendizaje y su contenido. Esta oportunidad será un proceso permanente continuo.

(5) Maximiza la oportunidad de estudiantes, padres y maestros de reaccionar continuamente al mundo cambiante, incluyendo, pero no limitándose a la comunidad en la que está la escuela.

En el caso que cualquier padre, estudiante, o maestro tenga interés en más información acerca de escuelas alternativas, el Superintendente de Escuelas del Condado, la oficina administrativa de este distrito, y la oficina del director en cada área de asistencia deberán tener copias de la ley disponible para su información. Esta ley autoriza en particular a personas interesadas para pedir que el consejo directivo del distrito establezca programas escolares alternativos.

**REDUCCIÓN DE CALIFICACIONES / PÉRDIDA DE CREDITO ACADÉMICO (EC §48980(i)):** A ningún estudiante se le reducirá la calificación ni se le restará crédito académico debido a una ausencia justificada conforme a EC §48205 si los trabajos/exámenes perdidos que puedan ser proporcionados razonablemente se completan satisfactoriamente dentro de un periodo razonable de tiempo.

**AUSENCIAS POR SERVICIOS MÉDICOS CONFIDENCIALES (EC §46010.1):** Se avisa a los estudiantes de 7° a 12° grado y a sus padres que la ley permite a las escuelas excusar a estudiantes para el propósito de obtener servicios médicos confidenciales sin el consentimiento de los padres. La política distrital acerca de tales ausencias excusadas está disponible con solicitarlo.

**AUSENCIAS POR INSTRUCCIÓN RELIGIOSA (EC §46014):** Los distritos pueden excusar a estudiantes con consentimiento de los padres para participar en ejercicios/instrucción religiosa.

**NOTIFICACIÓN DE DÍAS MÍNIMOS Y DÍAS DE DESARROLLO PROFESIONAL PARA MAESTROS (EC §48980(c)):** Se requiere que el distrito notifique anualmente a los padres de la programación de los días mínimos y días en que no hay clase debido a programas de desarrollo profesional para maestros. La notificación debe hacerse al principio del año o lo antes posible, pero no más tarde de un mes antes del día mínimo o desarrollo profesional programado. (*Ver el adjunto.*)

### MISCELÁNEA

**PROGRAMAS NO OBLIGATORIOS PARA PARTICIPACIÓN DE PADRES/ESTUDIANTES (EC §49091.18):** Las escuelas no pueden obligar a un estudiante ni a su familia a someterse o participar en ninguna prueba, evaluación, análisis, ni seguimiento de la calidad o carácter de la vida familiar del estudiante, evaluaciones o pruebas parentales, programas de consejería no-académica en hogar, capacitación para padres, ni planes prescritos de servicios educativos familiares.

**EQUIDAD DE GÉNERO EN PLANIFICACIÓN DE CARRERAS (EC §221.5(d)):** Se notificará a los padres por adelantado de la consejería de carreras y selección de cursos comenzando con la selección de cursos en 7° grado, de modo de promover la equidad de género y permitir que los padres participen en sesiones de consejería y decisiones.

**NORMATIVA CONTRA EL ACOSO SEXUAL (EC §231.5; 5 CCR §4917):** Se requiere que cada distrito haya adoptado una normativa por escrito contra el acoso sexual, y proporcionará una copia de esta normativa, en lo relativo a los estudiantes, junto con la notificación anual. (*Ver adjunto.*) También se requiere que los distritos expongan estas normativas en un lugar prominente y que la incluyan en la orientación para empleados y estudiantes, y proporcionará una copia de esta normativa a los estudiantes nuevos y a los que continúen como parte de cualquier programa de orientación que tenga lugar trimestral, semestralmente, o durante la sesión de verano.

**CAMPUS LIBRE DE DROGAS (Educación preventiva contra el uso del alcohol y drogas):** La posesión, uso o venta de narcóticos, alcohol, u otras sustancias controladas está prohibida y se imponen estrictamente en todas las actividades escolares. Los registros se mandarán a las autoridades locales, y las violaciones resultarán en sanciones distritales.

**DERECHO DE ABSTENERSE DEL USO DAÑINO DE ANIMALES (EC §32255 et seq):** Los alumnos pueden optar por abstenerse de participar en proyectos

educativos que impliquen la disección o el uso dañino o destructivo de animales de acuerdo con los procedimientos establecidos en EC § 32255.1.

**LEY CADA ESTUDIANTE TIENE ÉXITO (ESSA por sus siglas en inglés) (20 USC §6301 et seq.):** Según la ley ESSA, los padres tienen los siguientes derechos:

- **Información acerca de las calificaciones de maestros, paraprofesionales y asistentes de maestro:** Cuando lo pidan los padres, tienen derecho a información acerca de las calificaciones profesionales de los maestros, paraprofesionales, y asistentes de maestro de la clase de su hijo. Esto incluye si el maestro satisface los criterios de acreditación y calificaciones estatales para los grados y las materias que enseña, si el maestro enseña en condición provisional o debido a una situación de emergencia, la especialidad académica del título universitario del maestro y cualquier otro título de nivel postgrado y las materias de esos títulos, y si cualquier paraprofesional o asistente de maestro presta servicios a su hijo, y en el caso que lo hagan, cuáles son sus calificaciones. El distrito notificará además a los padres si su hijo ha sido asignado a o ha sido enseñado durante 4 semanas o más por un maestro que no cumpla los requisitos aplicables de certificación o licencia en el nivel de grado y área de contenido a los cuales el maestro haya sido asignado.
- **Información acerca de los informes individuales de las evaluaciones estatales:** Cuando lo pidan, los padres tienen derecho a información sobre cualquier normativa estatal o local que ordene las evaluaciones y el nivel de rendimiento estudiantil de cada prueba académica estatal y a nivel del distrito que se le administre al estudiante.
- **Estudiantes con dominio limitado del inglés:** La ley requiere aviso previo a los padres de estudiantes que están aprendiendo el inglés en cuanto a los programas para dominio limitado del inglés, incluyendo las razones por la identificación del estudiante como aprendiz del inglés, la necesidad de colocación en un programa educativo de lenguaje, el nivel de dominio del inglés del estudiante, cómo se evaluó dicho nivel, los métodos de instrucción utilizados en los programas disponibles, cómo satisface el programa recomendado las necesidades del estudiante, el desempeño del programa, las opciones de los padres para sacar al estudiante de un programa y/o de rehusar la inscripción inicial, y el ritmo anticipado de transición a clases no diseñadas para estudiantes que están aprendiendo el inglés.

*La información dada arriba está disponible con solicitarla de la escuela de su hijo o de la oficina distrital. Los avisos adicionales que podrían requerirse bajo la ley ESSA se enviarán por separado.*

**PROCEDIMIENTO UNIFORME DE QUEJAS (5 CCR §4622):** Se requiere que el distrito notifique anualmente a los padres, estudiantes, empleados, comités asesores escolares y otras partes interesadas por escrito de su Procedimiento Uniforme de Quejas. (*Ver el adjunto.*)

**AUTOBUSES ESCOLARES /SEGURIDAD DEL PASAJERO (EC §39831.5):** Los distritos están obligados a proporcionar reglas de seguridad a todos los estudiantes nuevos y los que han sido transportado anteriormente por autobús.

**NOTIFICACIÓN DE LA LEY MEGAN (CÓDIGO PENAL §290.4):** Los padres y miembros del público tienen el derecho de revisar la información acerca de los delinquentes sexuales registrados disponible en la oficina principal de las autoridades policiales locales de este distrito escolar.

**AUSENCIAS JUSTIFICADAS (EC §48205)**

(a) No obstante la sección 48200, un estudiante puede ser disculpado de la escuela cuando la ausencia sea:

- (1) A causa de enfermedad del estudiante, incluyendo una ausencia en beneficio de la salud mental o conductual del estudiante.
- (2) A causa de cuarentena bajo la dirección de un oficial de salud del condado o ciudad.
- (3) Para recibir servicios médicos, dentales, optométricos, o quiroprácticos.
- (4) Para asistir a los servicios funerarios o llorar la muerte de un miembro de la familia inmediata del estudiante, o de una persona que el padre/madre o

tutor/a del estudiante determine que esté en una asociación tan estrecha con el estudiante como para ser considerado como la familia inmediata del estudiante, siempre y cuando la ausencia no sea de más de cinco días por incidente.

(5) Para servir como miembro de un jurado en la forma establecida por ley.

(6) Por motivo de una enfermedad o cita médica durante el horario escolar de un niño de quien el estudiante es el padre con custodia, inclusive ausencias para cuidar a un niño enfermo, para lo cual la escuela no requerirá una nota del médico.

(7) Por razones personales justificables, incluyendo pero no limitándose a asistencia a o comparecencia ante un tribunal, asistencia a un funeral, cumplimiento de un día festivo o ceremonia religiosa, asistencia unos retiros religiosos que no deberán exceder cuatro (4) horas por semestre, o asistencia a una conferencia sobre empleo, cuando el padre haya solicitado por escrito la ausencia del alumno y haya sido aprobada por el director o su representante asignado en conformidad con las normas establecidas por el consejo directivo del distrito escolar.

(8) Con el propósito de servir como miembro del consejo electoral para una elección conforme a la sección 12302 del Código Electoral.

(9) Con los propósitos de pasar tiempo con un miembro de la familia inmediata del estudiante, que sea un miembro activo de los servicios uniformados, según se define en la sección 49701, y que haya sido llamado para servicio, esté en permiso de ausencia de, o haya regresado inmediatamente de, despliegue a una zona de combate o puesto de apoyo de combate. Las ausencias otorgadas conforme a este párrafo se otorgarán durante un periodo de tiempo a ser determinado a la discreción del superintendente del distrito escolar.

(10) Con el propósito de asistir a la ceremonia de naturalización del estudiante para hacerse ciudadano de los Estados Unidos.

(11) Con el propósito de participar en una ceremonia o evento cultural.

(12)(A) Con el propósito de que un estudiante de escuela intermedia o preparatoria participe en un evento cívico o político, según lo dispuesto en el subpárrafo (B), siempre que el estudiante notifique a la escuela con anticipación de la ausencia.

(12)(B)(i) Un estudiante de escuela intermedia o preparatoria que esté ausente de conformidad con el subpárrafo (A) debe ser excusado por una sola ausencia de un día escolar por año escolar.

(12)(B)(ii) A un estudiante de escuela intermedia o preparatoria que esté ausente de conformidad con el subpárrafo (A) se le puede permitir ausencias justificadas adicionales a discreción de un administrador escolar, como se describe en la subdivisión (c) de la Sección 48260.

(13)(A) Para cualquiera de los propósitos descritos en las cláusulas (i) a (iii), inclusive, si un miembro de la familia inmediata del estudiante, o una persona que el padre/madre o tutor/a del estudiante determine que esté en una asociación tan estrecha con el estudiante como para ser considerado como la familia inmediata del estudiante, ha muerto, siempre y cuando la ausencia no sea de más de tres días por incidente.

(i) Para acceder a los servicios de una organización o agencia de servicios a las víctimas.

(ii) Para acceder a servicios de apoyo en caso de duelo.

(iii) Para participar en la planificación de la seguridad o para tomar otras medidas para aumentar la seguridad del estudiante o de un miembro de la familia inmediata del estudiante, o una persona que el padre/madre o tutor/a del estudiante determine que esté en una asociación tan estrecha con el estudiante como para ser considerado como la familia inmediata del estudiante, incluyendo, pero no limitado a, la reubicación temporal o permanente.

(B) Cualquier ausencia más allá de tres días por las razones descritas en el subpárrafo (A) estará sujeta a la discreción del administrador de la escuela, o su persona designada, de conformidad con la Sección 48260.

(14) Autorizada a discreción del administrador escolar, tal y como se describe en la subdivisión (c) de la Sección 48260.

(b) Un estudiante con ausencias justificadas podrá terminar todos los exámenes y tareas no realizadas durante su ausencia, y que puedan proporcionarse de manera razonable, y una vez terminadas durante un periodo de tiempo razonable recibirá el crédito completo por las mismas. El maestro de la clase de la cual el estudiante ha faltado determinará los exámenes y tareas que serán

razonablemente equivalentes, pero no necesariamente idénticas a los exámenes y tareas que el alumno no presentó durante su ausencia.

(c) Para propósitos de esta sección, la asistencia a retiros religiosos no excederá un día lectivo por semestre.

(d) Las ausencias bajo esta sección se considerarán ausencias en la computación del promedio de asistencia diaria y no generarán pagos distribuidos por el estado.

(e) Para el propósito de esta sección, son aplicables las siguientes dimensiones:

(1) Un "acto cívico o político" incluye, entre otros, votaciones, trabajos electorales, huelgas, comentarios públicos, discursos de candidatos, foros políticos o cívicos y ayuntamientos.

(2) "Cultural" tiene un significado relacionado con las prácticas, hábitos, creencias y tradiciones de un determinado grupo de personas.

(3) "Familia inmediata", como se usa en esta sección, significa el padre/madre o tutor/tutora, hermano o hermana, abuelo o abuela, o cualquier pariente que viva en el domicilio del estudiante.

(4) "Organización o agencia de servicios a las víctimas" tiene el mismo significado que se define en el párrafo (7) de la subdivisión (g) de la Sección 230.1 del Código Laboral.

**INVIRTIENDO PARA LA EDUCACION FUTURA (EC §48980(d)):** Se aconseja a los padres acerca de la importancia de invertir en una educación superior para sus hijos y de considerar las opciones de inversión apropiadas, incluyendo, pero no limitándose a, los bonos de ahorro de los Estados Unidos.

**QUEJAS DE DEFICIENCIAS RELACIONADAS CON MATERIALES DE INSTRUCCIÓN, ETC. (EC §35186):** El Procedimiento Uniforme de Quejas está para ayudar a identificar y resolver deficiencias relacionadas a los materiales de instrucción, condiciones de emergencia o urgentes de instalaciones que puedan representar un peligro para la salud y seguridad de estudiantes o personal, y vacaciones o asignaciones inadecuadas de maestros. El aviso del proceso de presentar una queja y el lugar en donde se puede obtener el formulario deberán estar puestos en todas las aulas.

**ACREDITACIÓN DE ESCUELAS (EC §35178.4):** Se requiere que los distritos están obligados a notificar a cada padre de los estudiantes en una escuela que haya perdido su estado de acreditación y de las posibles consecuencias de perderla. La notificación se hará por escrito o publicando la información en el sitio Web del distrito o de la escuela, o cualquier combinación de estos métodos.

**CUOTAS ESTUDIANTILES (EC §49010 et seq.):** Se requiere que el distrito establezca políticas acerca de la provisión de una educación gratis para estudiantes. También se requiere que establezca políticas para presentar una queja de incumplimiento bajo esta sección por medio del Procedimiento Uniforme de Quejas. El aviso de las políticas de cuotas/tarifas distritales y del proceso para presentar quejas se proporcionará anualmente a los estudiantes, padres y empleados.

**PLAN DE CONTROL LOCAL Y RENDICIÓN DE CUENTAS (EC §§52060-52077):** El distrito está obligado a adoptar un plan trienal de Control Local y Rendimiento de Cuentas (LCAP, por sus siglas en inglés) y de actualizarlo en o antes del 1 de julio de cada año subsiguiente. Se requiere que el LCAP describa los objetivos anuales y las acciones concretas para implementar esos objetivos y debe medir el progreso de los subgrupos de estudiantes en ocho áreas prioritarias establecidas por el estado. Las prioridades deben estar alineadas con el plan de gastos del distrito. El LCAP deberá ser aprobado antes de poderse adoptar el presupuesto anual del distrito. Una vez adoptados a nivel local el presupuesto y el LCAP, el plan será revisado por el superintendente del condado para asegurar que los gastos proyectados están alineados con las metas y servicios. Las prioridades estatales son las siguientes:

1. Dar acceso a todo estudiante a maestros con credenciales completos, materiales de instrucción alineados con los criterios estatales, e instalaciones seguras;
2. Implementación de y acceso de estudiantes al contenido académico y criterios de rendimiento del estado;
3. Participación de los padres e implicación familiar;
4. Mejorar el rendimiento estudiantil y los resultados en múltiples medidas;
5. Apoyar la participación y compromiso de estudiantes;
6. Destacar el clima y la conectividad escolar;

7. Asegurar que todo estudiante tenga acceso a un amplio curso de estudio;
8. Medir otros resultados estudiantiles relacionados a las áreas de estudio requeridas;
9. Coordinar la instrucción de estudiantes expulsados; y
10. Coordinar servicios para estudiantes en hogar temporal.

Se requiere que el consejo directivo establezca un comité asesor parental (*parent advisory committee*, o PAC por sus siglas en inglés) y un comité asesor de padres de estudiantes aprendices del inglés (ELPAC por sus siglas en inglés) para dar consejo al consejo directivo y al superintendente en cuanto al LCAP. (Los ELPAC se requieren si la matriculación del distrito escolar incluye al menos 15% de estudiantes aprendices del inglés y el distrito matricula a 50 estudiantes como mínimo que son aprendices del inglés. Los distritos no están obligados a establecer un ELPAC nuevo si ya se ha establecido un comité de padres de aprendices del inglés.)

Cada distrito deberá consultar con sus maestros, directores, administradores, y otro personal escolar, grupos de empleados con derechos de negociar, padres, su(s) administrador(es) de educación especial del plan de área local y estudiantes al desarrollar su LCAP. Como parte de este proceso de consulta, los distritos deben presentar sus planes propuestos al PAC y al ELPAC. Los comités asesores podrán revisar y comentar sobre el plan propuesto. Los distritos deben responder por escrito a los comentarios del PAC y el ELPAC. También se requiere que los distritos notifiquen a los miembros del público que pueden presentar comentarios escritos en cuanto a las acciones y gastos específicos propuestos en el LCAP.

Los distritos deberán celebrar al menos dos audiencias públicas para hablar de y adoptar (o actualizar) sus LCAPs. El distrito deberá primero hacer al menos una audiencia para pedir recomendaciones y comentarios del público acerca de los gastos propuestos en el plan, y luego adoptar (o actualizar oficialmente) el LCAP en una audiencia subsiguiente.

Se requiere que los distritos publiquen visiblemente en la página de inicio de la web del distrito el LCAP aprobado por el consejo directivo, así como cualquier actualización, revisión o anexo del LCAP, así como publicar o enlazar el LCAP presentado por cualquier escuela autónoma autorizada por el distrito, y que establezcan políticas para presentar una demanda de incumplimiento bajo §52075 por medio del Procedimiento Uniforme de Quejas. La información acerca de los requisitos de un Plan de Control Local y Rendimiento de Cuentas y el proceso para presentar demandas se proporcionarán anualmente a los estudiantes, padres y empleados.

**Ley Contra la Discriminación por Edad (42 USC § 6101 y siguientes):** La Ley de Discriminación por Edad (Age Discrimination Act) prohíbe la discriminación en los programas o actividades que reciben ayuda financiera federal o estatal.

**Ley de Igualdad de Acceso de los Boy Scouts de América (34 CFR § 108.6):** La Ley de Igualdad de Acceso de los Boy Scouts de América (Boy Scouts of America Equal Access Act) exige que las escuelas públicas proporcionen igualdad de acceso al uso de la propiedad escolar a los Boy Scouts y otros grupos juveniles designados.

## CONFIRMACIÓN DE RECIBO DEL AVISO ANUAL DE DERECHOS DE PADRES/TUTORES

**Corte, firme, y devuelva esta página a la escuela de su hijo indicando que le han notificado de las actividades específicas y si tiene un hijo en régimen continuo de medicación.**

Esta notificación anual también está disponible en formato electrónico y se le puede proporcionar con solicitarlo. Si la notificación se hace de forma electrónica, el padre o tutor debe entregar a la escuela esta confirmación de haber recibido la notificación.

Nombre del Estudiante: \_\_\_\_\_

Escuela: \_\_\_\_\_ Grado: \_\_\_\_\_

Por la presente, confirmo que he recibido la información acerca de mis derechos, responsabilidades, y protecciones.

Firma del Padre/Tutor: \_\_\_\_\_ Fecha: \_\_\_\_\_

### **POR FAVOR COMPLETE LO SIGUIENTE SI FUESE APLICABLE**

1. El estudiante está en un régimen continuo de medicación según lo ha prescrito un médico:

(Por favor marque uno) SI \_\_\_\_\_ NO \_\_\_\_\_

Si contestó SI: Doy permiso para contactar al médico del estudiante:

Nombre del médico: \_\_\_\_\_ Teléfono: \_\_\_\_\_

Medicación: \_\_\_\_\_ Dosis: \_\_\_\_\_

Medicación: \_\_\_\_\_ Dosis: \_\_\_\_\_

2. Si no desea que se divulgue información de directorio, por favor firme donde está indicado abajo y entregue este formulario a la escuela **dentro de los próximos 30 días**. Tome nota que esto prohibirá que el distrito dé el nombre y otra información del estudiante a medios publicitarios, escuelas interesadas, asociaciones de padres/maestros, empleadores interesados, y entidades similares.

NO divulgar información de directorio de \_\_\_\_\_  
(Nombre del estudiante) (Fecha de nacimiento)

Escuela: \_\_\_\_\_ Grado: \_\_\_\_\_

Marque aquí si se debe de hacer la excepción de incluir información y fotos del estudiante en el anuario escolar.

Firma del Padre/Tutor: \_\_\_\_\_  
(Fecha)

3. Al firmar abajo, otorga usted **permiso al distrito para poner fotografías de su estudiante en el anuario escolar** y otras publicaciones relacionadas con la escuela.

Nombre del Estudiante: \_\_\_\_\_

Escuela: \_\_\_\_\_ Grado: \_\_\_\_\_

Firma del Padre/Tutor: \_\_\_\_\_ Fecha: \_\_\_\_\_