Parental Rights & Responsibilities

2026-2027

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Dear Parents and Guardians,

Helping our children grow into thoughtful, responsible citizens is a shared responsibility among families, schools, and the larger community. In the Pacific Grove Unified School District, we are proud to partner with you in this important work.

The *Parental Rights and Responsibilities Handbook* is designed to serve as a resource to help you understand the rights of parents and students under California law, as well as the policies and procedures that guide our schools. We encourage you to read through it carefully, discuss its contents as a family, and refer to it whenever you have questions about district practices or your child's educational experience.

Our goal is to ensure that every student feels safe, supported, and inspired to learn. Strong communication and collaboration between home and school are essential to achieving this goal. Please reach out to your child's teachers or principal whenever you have questions or need assistance—partnership and open dialogue are at the heart of student success.

Thank you for your continued support and engagement. Together, we can ensure that every student in PGUSD thrives academically, socially, and emotionally.

Sincerely,

Dr. Linda Adamson
Superintendent
Pacific Grove Unified School District

Note: *Acknowledgement & signature provided during OLR*

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Parental Rights and Responsibilities

The Governing Board recognizes that the education of District students is a shared responsibility, and parents/guardians have both rights and responsibilities related to their children's learning. Accordingly, the Board believes in fostering a mutually supportive and respectful partnership where parents/guardians work with schools to help their children succeed (Education Code §51100). The Superintendent or designee will collaborate with families and staff to determine appropriate roles for all parties in supporting students' intellectual, physical, emotional, and social development.

Within this shared framework, the school's primary responsibility is to provide a high-quality curriculum and instructional program in a supportive and effective learning environment, enabling all students to meet the academic expectations of the school. The District encourages parents/guardians to actively support this environment by monitoring their children's attendance.

As a parent or guardian, you have a right to review school rules regarding student discipline; please contact the school office if you wish to do so (Education Code §§48980, 35291). For a complete outline of these duties and privileges, please refer to Board Policy 5020 and Regulation 5020, which are available in the District's Board Policy Manual.

Student Attendance & Discipline Rights

You have the right as a parent:

1. Right to Review Discipline Policies: You have the right to obtain a copy of the Governing Board's policies and regulations concerning student discipline (Education Code §35291).

2. Notification of Required Attendance After Suspension: You must be informed that you may be required to attend your child's class if he or she is suspended for unruly or disruptive conduct (Education Code §§48900.1, 48914).

3. Enrollment Based on Parent Employment (20+ Hours): You may apply for your child's enrollment in the school district where you are employed for at least 20 hours per week. However, the District retains the right to deny the application under certain defined conditions (Education Code §48204(b)).

4. Enrollment Based on Parent Employment and Residence (3+ Days): You may apply for enrollment of your child in a district where you are employed and where both you and the child live at your place of employment for a minimum of three days during the school week (Education Code §48204(a)(7)).

5. Enrollment for Children of Military Service Members (Residency): A student satisfies residency requirements if their parent is on active military duty and is being transferred (or is pending transfer) to a military installation within the state, per official military orders. The District must accept electronic applications for enrollment and course registration. The parent must provide proof of residency in the District within 10 days of the official published arrival date (Education Code §48204.3).

6. Students in Active Duty Military Families (Residency and Enrollment):

If your family moves due to active military duty, your student has special rights to ensure educational continuity:

- Residency Retention – If a family moves mid-year, the student must be allowed to continue attending their school of origin for the remainder of the school year.
- Matriculation (Changing Grades/Schools) – When a student is transitioning to middle or high school, they must be allowed to continue in the school designated for matriculation, even if that school is in a new district or attendance area.
- Immediate Enrollment – The new school must immediately enroll the student, even if the child has outstanding fees, fines, or lacks records normally required for enrollment.
- Separation from Service – If the parent's military service ends during the school year, the student is still allowed to stay in their school of origin for the remainder of the school year (Grades 1-8) or through graduation (High School) (Education Code §48204.3).

7. Residency Retention for Students of Detained or Deported Parents:

   Students may retain residency in the District, regardless of their current location, if they moved outside of California because their parent or guardian was detained or deported against their will. This applies to parents who were:

   Transferred to another state while in government custody.

   Subject to a lawful removal order.

   Under other circumstances consistent with these purposes, as determined by the District (Education Code §48204.4).

   Requirements for Retention: To qualify, the student must provide official documentation of the parent's involuntary departure from California and evidence of enrollment in a California public school immediately before the move.

   Additional Rights: Deported parents may officially designate another adult to attend school meetings and serve as an emergency contact. The school may not require any fees or charges for admission or attendance in these circumstances.

8. Residency Retention for Migratory Children

   Currently migratory children, who are enrolled in a school district due to a parent's or immediate family member's temporary or seasonal employment in an agricultural or fishing activity, as defined by Education Code § 54441, must be allowed to continue in their schools of origin, regardless of any change of residence during that school year, for the duration of their status as migratory children. When a student's status as a migratory child changes during the school year, the school district must: (1) allow K-8th graders to continue in their schools of origin for the remainder of that school year; and (2) allow 9-12th graders to continue in their schools of origin through graduation.

   Migratory children and their parents/guardians must be informed of the impact that remaining in their schools of origin will have on their eligibility to receive migrant education services.

9. Victims of Bullying – Transfer Rights

School districts must approve the request of a bullying victim, as defined, to transfer to another school within the district. If the requested school is at capacity, the school district must accept a request for an alternate site. If the school district of residence has only one school available, the school district of residence must honor the student's interdistrict transfer request if the school district of proposed enrollment approves the transfer. (Education Code §46600)

10. To request information about enrollment in alternative schools. (Education Code §58501)

Refer to Regulation 5116.1 and Board Policies 5117 in the Attachments §.

11. To excuse a child from school to attend religious exercises or classes upon written notice. Such absences may not exceed four days per month. An excused child must nevertheless attend his/her attendance at the minimum level of school days required for his/her grade. (Education Code §46014) *Refer to Board Policy 5113 and Regulation 5113 in the Attachments §.*

12. To excuse your child from school for justifiable personal reasons upon written notice and approval by the Principal or designated representative. Personal reasons may include attendance at a religious retreat, not to exceed four hours per semester, and the observance of a religious holiday or ceremony.

    In addition, when a student will be absent from school for **(1), and up to (15) consecutive school days**, the District may offer placement on a **short-term independent study contract**. Independent study is an alternative instructional program designed to ensure that students continue to make academic progress while away from school. Credit will be granted when the assigned work is completed and submitted as outlined in the contract.

    No child may have their grade reduced or lose academic credit for any absence(s) excused pursuant to Education Code § 48205 when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (See attached Education Code §48205) Refer to Board Policy and Administrative Regulation 5113.

13. To receive the District's written policy on sexual harassment as it relates to students. (Education Code §231.5) *Refer to Board Policies 5145.3 and 5145.7 in the Attachments §.*

14. To receive notification of all current statutory attendance options and local attendance options. Parents will receive a written description of all options for meeting residency requirements for school attendance, all programmatic options offered within the local attendance areas, and any special programmatic options available on both an inter-district and intra-district basis. The notice will include a description of the procedure for application for alternative attendance areas or programs, an application form for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. (Education Code §48980(h) and (i).)

15. To receive notification that, notwithstanding Education Code §48200, a pupil with a

temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located, pursuant to Education Code § 48207. Once the parent has notified the District in which the hospital is located of the student's presence in qualifying hospital, the District has five working days to notify the parent if individualized instruction shall be made available. If the determination is positive, individualized instruction shall commence within five days.

16. To be notified of minimum days or staff development days. See the calendar on our website for minimum and staff development days.

17. Attendance and participation in class are essential if the student is to gain the maximum benefit of the educational program. Regular and punctual school attendance of students is expected, encouraged and will be enforced. School attendance is an area which requires mutual cooperation between the schools, the parents and the student so that the whereabouts of each student will be known at all times during the school day. Education Code §48200 requires full time student attendance for all children between ages 6 and 18. The California Education Code and the Welfare and Institutions Code provide that legal action may be taken against a student and/or parent when a student is declared a habitual truant. (Education Code §48260 et seq.).

    a. First declaration of a legal truant: A student who is absent without valid excuse on three or more days or tardy in excess of 30 minutes on three or more days in a school year.
    b. Second declaration of a legal truant: A student, once reported as a legal truant, who is absent without a valid excuse on one or more days or is tardy on one or more days in a school year.
    c. Declaration as a habitual truant: A student who has been declared to be a legal truant on three or more occasions in a school year. (Education Code §48262)

    When a student is declared a habitual truant, he/she will be referred to the Monterey County District Attorney's Office. (Education Code §48263)

    Verification of student absences is accepted only from parents or guardians. Excessive excused absences will also be monitored, as attendance, excused or unexcused, interferes with your child's educational progress. Excused absences exceeding 10% of the school year will be monitored and may require doctor verification of medical difficulty and needs. If your child is going to miss school for a medical reason that exceeds two weeks they may be eligible for home-hospital instruction. Your child may be eligible for home independent study if he/she will be absent for reasons other than illness. It is the parent/guardian's obligation to notify the District of their child's need for individualized instruction in the home, in a hospital or other residential health facility.

Campus Security

The Board believes that reasonable use of surveillance cameras will help the District achieve its goals for campus security. In consultation with the safety planning committee and relevant staff, the Superintendent or designee shall identify appropriate locations for the

placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. *Refer to Board Policy 3515.*

Audio and video surveillance systems may be installed and used on school buses to monitor student behavior while traveling to and from school and school activities. *Refer to Board Policy 5131.1 and Regulation 5131.1.* The content of any recording may be a student record and may only be accessed in accordance with the district's policy and administrative regulation. Such recordings may be used in student disciplinary proceedings or referred to local law enforcement, as appropriate. *Refer to Board Policy 5125 and Regulation 5125.*

Student Discipline

1. Students are expected to respect themselves, respect others, and respect property. Therefore, students should be aware of possible consequences of their behavior. Disciplinary action taken by school officials is a direct consequence of unacceptable behavior by a student. Rules and regulations are established to maintain an atmosphere conducive to learning. Students who fail to comply with these rules and regulations will be counseled, reprimanded, suspended and/or expelled and/or arrested, as the laws are applied and dependent on the situation. All students shall comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the schools. (Education Code §48908)

2. The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct. The district may provide students instruction in the classroom or other school settings that promotes communication, social skills, and assertiveness skills and may involve parents/guardians, staff, and community members in the development of strategies to prevent and respond to bullying.

    a. School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians and students may be provided with similar information.
    b. Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent or designee may establish other processes whereby students may submit anonymous reports of bullying.
    c. When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact or potential impact on school activity or school attendance. Students shall be encouraged to save and print any messages sent to them that they feel constitutes cyberbullying and to notify a teacher, principal, or other employee so that the matter may be investigated.
    d. Cyberbullying conducted using district-owned equipment or on school premises, as well as off- campus cyberbullying that impacts school activity or school attendance, may be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting harmful material, the Superintendent or designee also may file a complaint with the

Internet site or service to have the material removed. *Refer to Board Policy 5131, P ol i c y 5131. 2 and R e gul at i o n 5131. 2 Policy 5131.8, and P ol i c y 61 63. 4 in the Attachments §.*

3. Students and parents may report incidents of misconduct, bullying and sexual harassment by submitting to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying or any disrespectful behavior. Complaints of bullying or harassment shall be investigated and resolved in accordance with site-level grievance procedures. The Superintendent or designee shall work with the student and family to determine whether it is in the best interest of the student to maintain anonymity during the investigation. *Refer to Board Policy 5131, Policy 5131.2 and Regulation 5131.2, and Policy 5145.7 and Regulation 5145.7 in the Attachments §.*

4. Districts may regulate the possession or use of any cell phones, pagers or electronic signaling devices while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees (Education Code §48901.5). *Refer to Board Policy 5146* and Administrative Regulation 5131.8 for site specific requirements related to Mobile Communication Devices..

5. The Pacific Grove Unified School District is committed to maintaining an orderly, purposeful and safe school environment free from weapons, drugs, tobacco, vandalism, and the threat of physical harm. We will take immediate action against students who threaten physical harm to anyone through the possession of, use of, or threatened use of weapons. Students will be immediately reported to law enforcement and suspended or expelled, in compliance with Board Policy and the law. Similar disciplinary steps will be taken in cases involving the sale of controlled substances at school, on the way to and from school, while going to or coming from a school sponsored activity, while at any school sponsored event and during lunch whether on or off school grounds. Such unlawful behavior will be reported to the police, followed by suspension and a recommendation for expulsion, as required by Board Policy and California law. *Refer to Board Policies 3513.3 and 5144.1 in the Attachments §.*

6. A pupil may not be suspended from school or recommended for expulsion unless the superintendent or the Principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to one or more of the following subdivisions:

    a. Caused, attempted to cause, or threatened to cause physical injury to another person; or willfully used force or violence upon the person of another, except in self-defense.
    b. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the Principal or the designee of the Principal.
    c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with § §11053) of Division 10 of the Health and Safety code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
    d. Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with §11053) of Division 10 of the Health and Safety Code, an

alcoholic beverage, or an intoxicant of any kind and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

e. Committed or attempted to commit robbery or extortion.
f. Caused or attempted to cause damage to school property or private property.
g. Stolen or attempted to steal school property or private property.
h. Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, e-cigarettes, vaping devices and betel. However, this action does not prohibit use or possession by a pupil of his or her own prescription products.
i. Committed an obscene act or engaged in habitual profanity or vulgarity.
j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in §11014.5 of the Health and Safety Code.
k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
l. Knowingly received stolen school property or private property.
m. Possessed an imitation firearm. As used in this § “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
n. Committed or attempted to commit a sexual assault as defined in §261, 266c, 286, 287 , 288, or 289, or form e r se c t i on 288a of, the Penal Code or committed a sexual battery as defined in §243.3 of the Penal Code.
o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness or both.
p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
q. Engaged in, or attempted to engage in, hazing as defined in Education Code §48900(q).
r. Engaged in an act of bullying as defined in Education Code §48900(r).
s. A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the Superintendent or Principal or occurring within any other school district. A pupil may be suspended or expelled for acts which are enumerated in this § and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
    1) while on school grounds.
    2) while going to or coming from school.
    3) during the lunch period whether on or off the campus.
    4) during, or while going to or coming from a school sponsored activity.
t. A pupil who aids or abets, as defined in § 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of this §. Except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
u. As used in this §, “school property” includes, but is not limited to, electronic files and databases.

v. A Superintendent or Principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in § 48900.5.
w. (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

7. Mandatory Suspension
The Principal or Superintendent of Schools shall immediately suspend, pursuant to §48911, and recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

a. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior or written permission to possess the firearm from a certificated school employee, which is concurred in by the Principal or the designee of the Principal. This subdivision applies to an act of possessing firearm only if the possession is verified by an employee of a school district.
b. Brandishing a knife at another person.
c. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with §11053) of Division 10 of the Health and Safety Code.
d. Committing or attempting to commit a sexual assault as defined in subdivision (n) of § 48900 or committing a sexual battery as defined in subdivision (n) of §48900.
e. Possession of an explosive.

8. Mandatory Expulsion
Education Code §48915(a): Except as provided in subdivisions (c) and (e), the Principal or the Superintendent of Schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the Principal or Superintendent finds that the expulsion is inappropriate, due to the particular circumstance or that an alternative means of correction would address the conduct:

a. Causing serious physical injury to another person except in self-defense.
b. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
c. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with §11053) of Division 10 of the Healthy and Safety Code, except for: (1) the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; or (2) the possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed by a physician for the pupil.
d. Robbery or extortion.
e. Assault or battery, as defined in §240 and 242 of the Penal Code, upon any school employee. (Education Code §48915(a).)

9. If a school official releases your child from school to a peace officer for the purpose of

removing him/her from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. (Education Code §48906)

10. Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children which result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as $23,900 in damages and another maximum of $23,900 for payment of a reward, if any. (Education Code §48904) The School District may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. Education Code §48904, Civil Code § 1714.1) If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. (Education Code §48900.1)

11. Possession of a laser pointer by any student is prohibited on any elementary or secondary school premise, unless possession is for valid instruction. The beam of a laser pointer is prohibited from being directed into the eyes of another or into a moving vehicle or into the eyes of a guide dog. (Penal Code 417.27)

12. The school Principal or designee may search the person of a student, the student's locker, backpack or purse if there is a reasonable suspicion to believe the student may have a concealed weapon, explosives, alcohol, narcotics, stolen property, or contraband. (U.S. Supreme Court Case: New Jersey v. T.L.O. (1985) 469 U.S. 325)

13. The District may use surveillance footage, if applicable, in connection with student discipline and in accordance with District policy.

Student Health

You have the right as a parent:

1. To be informed that school authorities will notify students in grades 7 to 12 that they may be excused from school for the purpose of obtaining confidential medical services without your consent. (Education Code §46010.1)
2. To be informed that your child must be immunized against certain diseases before being admitted to school, unless exempted for medical or religious reasons. However, where there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, your child will be sent home and will not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist. (Education Code §§49451 and 48216)

   Religious and Personal Beliefs Exemptions:California law no longer permits exemptions from required student immunizations based on personal or religious beliefs. Students who qualified under the grandfathering provisions established in 2016 have now aged out of those exemptions. Students attending school must meet current California immunization

requirements unless they qualify for a valid medical exemption as provided by law.

Medical Exemptions: Students who have a medical exemption issued before December 31, 2020 will be allowed continued enrollment until they enroll in the next grade span. As of January 1, 2021, the District will only accept medical exemptions that are submitted on the California Department of Public Health's standardized, statewide medical exemption certification form. (Health and Safety Code §§120370(a)(2) and 120372(a).)

3. To consent to the immunization of your child whenever the immunization of children is permitted at the District. (Education Code §49403)

4. **Immunization Information Sharing (AB 1797)**: Immunization information may not be shared if the parent/guardian refuses to allow the sharing of immunization information pursuant to Health and Safety Code § 120440 (e). Under the Education Code, parents must affirmatively consent to schools sharing immunization information, except if there is an emergency and the immunization information is needed to protect the health or safety of a student or other persons. (Ed. Code §§49075 and 49076, subd. (a)(2)(A).)

   With parental consent, the following information about your child will be shared with the local health department and the State Department of Public Health's California Immunization Registry (CAIR) https://www.cdph.ca.gov/CAIR webpage, Phone: (800) 578-7889, Fax: (888) 436-8320, Help desk: CAIR Helpdesk@cdph.ca.gov:

   - Student and parent's name
   - Student's date of birth, place of birth, gender, race, and ethnicity
   - Types and dates of immunizations received
   - Manufacturer and lot number for each immunization received
   - Adverse reactions to immunizations received
   - Other nonmedical information necessary to establish the student's unique identity and record
   - Tuberculosis screening results
   - Information needed to comply with state immunization requirements for school attendance (Health and Safety Code §120440, subd. (e)(1).)

   The shared information will be treated as confidential medical information and shall only be shared upon request with health care providers, schools, childcare facilities, county human services agencies, health care plans, and other designated agencies. (Health and Safety Code §120440, subd. (e)(2).)

   Parents and Guardians have the right to:
   - Consent to having their child's **school** share their child's immunization information with the CAIR by filling out the School Consent to Share Form and returning it to their child's school;
   - Examine any of their child's immunization-related information or tuberculosis screening results and to correct any errors. (Health and Safety Code §120440, subd. (e)(3).);

   - Refuse to permit the **CAIR** to share their child's immunization information by completing and submitting the Decline to Share or Start Sharing Immunization Request (Lock/Unlock) form by e- mail to: CAIR HelpDesk@cdph.ca.gov or fax printed forms to 1-888-436-8320. For more information, contact the CAIR HelpDesk@cdph.ca.gov or by

phone: 1-800-578-7889. (Health and Safety Code §120440, subd. (e)(4) and (f)(1).); and
- Refuse to receive immunization reminder notifications. (Health and Safety Code §120440, subd. (e)(4).

More information about these rights and the California Immunization Registration (CAIR) can be found here: Frequently Asked Questions about Immunization Registries (Parents).

5. To request assistance in administering medication to your child during school hours. Such assistance requires your written authorization and that of a physician, surgeon or physician assistant detailing the method, amount and time schedules for taking the medication. (Education Code §49423)

6. Auto-Injectable Epinephrine / Inhaled Asthma Medication. You may provide a written statement to the school district allowing your child to carry and self-administer auto-injectable epinephrine and/or inhaled asthma medication. A physician or surgeon's statement confirming that your child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedules for administration must also accompany the request. In the case of auto-injectable epinephrine, a physician's assistant may also provide this written statement. The parent, foster-parent or guardian must also: (1) consent in writing to the self-administration, (2) provide a release for the school nurse or other designated school personnel allowing them to consult with the student's physician and (3) agree to release the district and school personnel from civil liability in the event of an adverse reaction to the medication. These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. Students may be subject to disciplinary action pursuant to Education Code § 48900 for using auto-injectable epinephrine or inhaled asthma medication in a non-prescribed manner. (Education Code §§48980, 49414, 49423, and 49423.1.)

7. Anti-Seizure Medication. Parents of a student diagnosed with seizures, a seizure disorder, or epilepsy who has been prescribed an emergency anti-seizure medication may request that their student's school have one or more of its employees receive voluntary training in the administration of the medication in the event that the student suffers a seizure when a school nurse is not available. Upon receipt of the parent's request, the school district must notify the parent that his or her child may qualify for an individualized education program or a § 504 plan. Parents must provide a seizure action plan pursuant to Ed. Code § 49468.3 before an emergency anti- seizure medication or therapy treatment may be administered.

8. To exempt your child from any physical examination upon your written notification. However, where there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, your child will be sent home and will not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist. (Education Code §49451)

9. To purchase insurance for medical and hospital services for your child's injuries while participating in athletic activities since the District does not provide such medical and hospital services. (Education Code §49472)

10. To be informed of your obligation to notify appropriate school personnel (e.g., school nurse or designated employee) of your child's continuing medication regimen for a non-episodic

condition. With your consent, the school nurse may communicate with your child's physician and may counsel 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. (Education Code §49480)

11. To obtain information and apply for participation in the Free and Reduced Lunch Program offered by the District to potentially receive benefits that are supplemental of the Free and reduced Lunch Program . Regardless of status, the District, utilizing California Universal Meals Program, promises to provide nutritional meals to all pupils desiring. (Education Code §49510 et seq.)

12. **Child Nutrition Program Complaints:** Complaints related to Child Nutrition Programs established pursuant to the National School Lunch Program, Summer Food Service Program, Child and Adult Care Food Program, Special Milk Program, School Breakfast Program, and Food Distribution Program are no longer processed through the District's Uniform Complaint Procedures. Instead, complaints must be processed through the existing procedures outlined in federal regulations and new, related state regulations. A complaint must be submitted within one year of the date of the alleged violation, and may be filed by phone, e-mail, or letter. Please see California Code of Regulations, title 5, §s 15580 – 15584 for more information. (5 CCR §§15580 - 15584)

13. **Student Food Allergies / California Food Allergy Resource Webpage:** For information about protecting your student with food allergies, the California Department of Education is creating a California Food Allergy Resource internet webpage, which when available, will be found here: https://www.cde.ca.gov/ls/nu/sn/mgmb.asp

14. To be notified in accordance with the requirements of the Healthy Schools Act of 2000 of all pesticides the District expects to apply during the year.

15. State law requires that for each child enrolling in the first grade, the parent must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file with the School District a waiver stating the reasons you are unable to obtain such services. You must understand that your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. You may find it convenient to have your child immunized at the same time that the physical examination is conducted.

16. All students must have an oral assessment by May 31st of their kindergarten or first grade year, whichever is his or her first year of public school. The assessment must be performed by a licensed dentist or other licensed or registered dental health professional. Parents may request a waiver in writing.

17. Anything to the contrary withstanding, the Governing Board of our school district will cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases in school age children. For that purpose, the Board may use any funds, property and personnel of the District, and may permit a licensed physician and surgeon to administer an immunizing agent to any student whose parents have given written consent to the administration of such an immunizing agent. (Education Code §49403)

18. Between grades 6 and 8, your child may be screened for scoliosis (curvature of the spine), unless you submit a written denial of consent. (Education Code §49452.5)

19. Your child's vision will be checked by an authorized person between grades Kindergarten through 8, unless you present to the school a certificate from a physician or optometrist verifying prior testing or a letter stating it violates your faith in a recognized religious belief. (Education Code §§49455 and 49422)

20. The School District is required to provide for the testing of the sight and hearing of each student enrolled unless you submit a written denial of consent. (Education Code §49452)

21. Please see the attached memo from the Director of Facilities and Transportation, regarding the annual Pest Control Procedure and Notification. Please contact the Director at (831) 646-6537 if you wish to receive written notification at least 72 hours prior to the application of an individual pesticide at your school. Prior to the application of any pesticide, the District will post a warning sign at the area to be treated at least 24 hours prior to the pesticide application and such sign will remain posted for at least 72 hours after the application. In the event of an emergency condition, advance notification and prior sign posting may not be feasible, but a warning sign will be posted immediately upon application of the pesticide. For additional information regarding pesticides and pesticide use, please visit the web site for the State of California's Department of Pesticide Regulation at http://www.cdpr.ca.gov. (Education Code §§48980.3 and 17612)

22. Student mental health services are available through the Pacific Grove Unified School District by contacting: Director of Student Services, 435 Hillcrest Avenue, Pacific Grove, CA 93950 (831) 646-6523

23. Type 1 Diabetes Information - Parent Notification: The CDE's Type I Diabetes Information sheet is located in the Attachments § and may be found here: https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp

Student Records

You have the right as a parent:

1. To be notified of the District's policies concerning student records maintained by the District. (Education Code §49063; 34 CFR Part 99.7) *Refer to Board Policy 5125 and Regulation 5125 in the Attachments §.*

2. To know that your child's right to privacy prohibits the release of confidential information in your child's records to individuals other than yourself, your child (if 16 or older or having completed the 10th grade), or certain authorized individuals without a court order or parental consent. (Education Code §49060 et seq.)

3. The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

   a. The right to inspect and review the student's education records within 45 days of the day

the school receives a request for access. Parents or eligible students should submit to the school Principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

b. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write to the school Principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

c. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

d. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the *School District* to comply with the requirements of FERPA. Contact:

   Student Privacy Policy Office
   U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202
   1-800-872-5327

4. To prohibit the release of directory information on your child when you notify the District in writing not to release such information on your child by using the appropriate PGUSD Directory Information Opt-Out Form. The District has two opt-out forms: one specific to high school students; and one for elementary and middle school students, available on the District website at pgusd.org. The Directory Information Opt-Out Forms will also be included in the online registration packet. Otherwise, the District may release directory information as to any pupil or former pupil, provided that annual notice is given of the categories of information to be released and of the recipients of said information. Directory information includes one or more of the following items: student's name; address; date of birth; major field of study; participation in officially recognized activities and sports; the weight and height of members of athletic teams; dates of attendance degrees and awards received; and most recent previous public or private school attended by the student. Directory information released to PTA's, PG Pride, Breakers Club, law enforcement agencies, military recruiters and institutions of higher education may include a student's name, address and phone number. Parents may request in writing that directory information not be released. To request the District withhold directory information, parents must complete the PGUSD Directory Information Opt-Out Form, and turn it into your child's school office within 10 days of registering for school. (Elementary and Secondary Education Act §9528(a)(2); 34 CFR

§99.37(a)(3), Education Code §§49063 and 49073)

5. Homeless Students / Release of Directory Information. Written consent of the parent or that of the student, if accorded parental rights, must be obtained before directory information pertaining to a homeless student may be released. (Education Code §49073(c) and 20 USC §1232g)

6. Transfer of Suspension and Expulsion Disciplinary Records. The District will forward student records, including suspension and/or expulsion disciplinary records, to other schools that have requested the records and in which the student seeks or intends to enroll. (FERPA, 34 CFR Parts 99.7 and 99.34(a)(ii).)

Student Instruction

You have the right as a parent:

1. To substantiate your child's moral objection to dissecting, destroying or otherwise harming animals as part of an education project. Teachers of courses utilizing dead animals or animal parts will inform students of their right to object to participate in a particular project involving the harmful or destructive use of animals.
   Your written note attesting to your child's objection may, at the teacher's option, entitle your child to participate in an alternative education project or to be excused from the project altogether. (Education Code §32255, et seq.)

2. To have your child with a temporary disability receive individual instruction if attendance at school is impossible or inadvisable. Individual instruction may be provided at your child's home, in a hospital or other residential health facility.
   "Temporary disability" means a physical, mental or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program to which the student can reasonably be expected to return. "Temporary disability" does not include a disability that would qualify a student as a "student with exceptional needs" under Education Code § 56026.
   Individual instruction in a hospital, residential health facility, or in a student's home must commence no later than five working days after a school district determines that the student shall receive this instruction.
   When a student receiving individual instruction is well enough to return to school, s/he must be allowed to return to the school that s/he attended immediately before receiving individual instruction, if the student returns during the school year in which the individual instruction was initiated.
   Students enrolled in individual instruction in a hospital or other residential health facility for a partial week, are entitled to attend school in his/her school district of residence, or to receive individual instruction provided by the school district of residence in the student's home, on days in which he or she is not receiving individual instruction in a hospital or other residential health facility, if s/he is well enough to do so.
   Absences from the student's regular school program due to the student's temporary disability are excused until the student is able to return to the regular school program. (Education Code §§ 48206.3, 48207, 48207.3, 48207.5, 48208, 48240 (c) and 48980(b).)

3. To be informed of District programs for students with special needs, including your right to

have your child placed in an “appropriate” program, and to be consulted about the assessment and placement of your child. Students with exceptional needs have a right to a free appropriate public education. (Education Code §56000 et seq.)

4. To excuse your child from taking part in training in health, family life education, and sex education instruction which conflicts with your religious training, beliefs, and moral convictions or those of your child. (Education Code §51240)

5. To be informed, in writing, of sex education classes offered by the District and of your opportunity to inspect and review all instructional materials to be used in such classes. You may request, in writing, if you do not want your child to attend these classes. Your request will be valid for a school year but may be withdrawn by you at any time. This notice does not apply to human reproductive organs, which may appear in physiology, biology, zoology, general science, personal hygiene, or health textbooks, adopted pursuant to law. (Education Code §§51930 et seq. and 48980)

6. To be informed, in writing, of AIDS prevention instruction offered by the District for students in grades 7 through 12. You have a right to be notified of the purpose of the AIDS prevention instruction and that you may request, in writing, that your child not receive such instruction. You have the right to request a copy of Education Code §s 51930-51939, which relates to sexual health and AIDS prevention instruction. (Education Code §51930 et seq.)
   You also have the right to request, in writing, to view material that will be used and are available for inspection prior to the start of classes. You have a right to request, in writing, that your child not attend these classes. You may withdraw this request at any time.
   School districts must ensure that all pupils receive sexual health instruction from adequately trained personnel in appropriate courses. In this District, staff are used. This instruction will emphasize that sexual abstinence and abstinence from intravenous drug use as the most effective means for AIDS prevention and avoiding sexually transmitted diseases. The instruction will also include development of refusal skills to assist pupils to overcome peer pressure and use effective decision-making skills to avoid high-risk activities. During this class, students in grades 7-12 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, questionnaires measuring student attitudes toward health, sex, and risk behaviors. Parents are hereby notified that they have the opportunity to review the material and can request in writing that their child not participate.
   Copies of this Education Code §51938 can be requested from your school or district office or can be obtained online here: Education Code § 51938 (Education Code §51938).

7. Personal Beliefs / Political Affiliations / Behavior / Close Family Relationships
   No test, questionnaire, survey, or examination which has questions about your or your child's: beliefs and practices in sex, family life, morality, religion, political affiliations or beliefs, illegal, anti-social, self- incriminating, or demeaning behavior, mental or psychological problems, legally recognized privileged relationships (such as lawyer, physician, or minister), critical appraisals of individuals with whom you have close family relationships, or income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) shall be administered without prior notification and written permission of the parent or guardian. Parents may inspect all instructional materials, including teacher's manuals, films, tapes or other supplementary material to be used in connection with any survey, analysis or evaluation. (Education Code §§51513 and 60614 and 20 USC 1232h(a) and (b).)

8. To have a conference scheduled when a teacher has determined and informed you that your child is in danger of failing a course. (Education Code §49067)

9. You may request a meeting to review instructional materials and discuss the curriculum of your child's courses.

10. California Assessment of Student Performance and Progress (CAASPP) Exemption. Each year, parents and guardians will be notified regarding their student's participation in the CAASPP assessment system. Parents and guardians wanting to excuse their children from any or all parts of the CAASPP must submit a written request. Such written requests must be submitted to the school on an annual basis. If you have any questions, please contact your appropriate site Principal.

11. To be informed of the availability of state funds to cover the costs of advanced placement examination fees pursuant to Education Code § §52242. (Education Code §488980(k).)

12. A provision of Federal law requires all districts to notify parents of all children in Title I schools that they have the right to request and receive timely information on the professional qualifications of their children's classroom teachers and paraprofessionals. (20 USC §6312, Sec. 1112(e).)

13. The Board of Education has adopted student standards of proficiency as required by law in basic skills. Skills shall include, but are not limited to, reading comprehension, writing, computational skills, and other areas that the Board deems appropriate. The Superintendent shall ensure that they are articulated across the grade levels. (Board Policy 6146.5)

14. The District is committed to providing a tobacco-free environment. In accordance with state and federal law, smoking is prohibited in all District facilities and vehicles. In accordance with Board policy, the use of tobacco products is prohibited at all times on District grounds.

15. Career Counseling and Course Selection Parents/guardians will be notified, at least once, in advance of career counseling and course selection commencing with 7th grade course selection so that they may participate in the counseling sessions and decisions. (Education Code §221.5(d).)

16. Pregnant and Parenting Student Rights Rights Under Education Code § 221.51
    Local educational agencies (including school districts, charter schools and county offices of education):
    (a) Shall not apply any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.
    (b) Shall not exclude nor deny any student from any educational program or activity, including class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.
    (c) May require any student to obtain the certification of a physician or nurse practitioner that the student is physically and emotionally able to continue participation in the regular education program or activity.
    (d) Pregnant or parenting students shall not be required to participate in pregnant minor programs or alternative education programs. Pregnant or parenting students who voluntarily participate in alternative education programs shall be given educational

programs, activities, and courses equal to those they would have been in if participating in the regular education program.

(e) Shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disabling condition.

Rights Under Education Code § 46015

(a)(1) pregnant or parenting students are entitled to eight weeks of parental leave, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The student, if the student is 18 years of age or older, or, if the student is under 18 years of age, the person holding the right to make educational decisions for the student, shall notify the school of the student's intent to exercise this right. Failure to notify the school shall not reduce these rights.

(2) A pregnant or parenting student who does not wish to take all or part of the parental leave to which s/he is entitled shall not be required to do so.

(3) A pregnant or parenting student is entitled to receive more than eight weeks of parental leave if deemed medically necessary by the student's physician.

(4) When a student takes parental leave, the supervisor of attendance shall ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program or an alternative education program.

(5) During parental leave, a local educational agency shall not require a pregnant or parenting student to complete academic work or other school requirements.

(6) A pregnant or parenting student may return to the school and the course of study in which he or she was enrolled before taking parental leave.

(7) Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.

(8) Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the school in which the student was previously enrolled when it is necessary in order for the student to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the student is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

(9) A student who chooses not to return to the school in which he or she was enrolled before taking parental leave is entitled to alternative education options offered by the local educational agency.

(10) A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.

(11) A student shall not incur an academic penalty as a result of his or her use of these accommodations.

Non-Compliance Complaints

A complaint of noncompliance with these requirements may be filed under the District's Uniform Complaint Procedures.

17. Language Acquisition Programs

To be notified that the District offers the following language acquisition program(s) for English learners:

Structured English Immersion for English Learner Program in English at all sites. The District offers two designated English Language Development teachers at the elementary schools and English Language Development §s at the middle and high schools.

Any language acquisition program provided by the District shall:

(1) Be designed using evidence-based research and include both Designated and Integrated English Language Development (ELD);
(2) Be allocated sufficient resources by the District to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and
(3) Within a reasonable period of time, lead to:
    (A) Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and
    (B) Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state-adopted academic content standards in that other language. (5 CCR 11309(c).)

Parent Choice and Process to Request the Establishment of a Language Acquisition Program

Parents or legal guardians may choose a language acquisition program that best suits their child. When the parents or guardians of 30 or more students in a school, or 20 or more students in any grade level at a school, request a language acquisition program, the school must offer the language acquisition program to the extent possible once various requirements are met, such as the program having been established with parental, school employee and community input. (Education Code § 310.)

When the parents or guardians of 30 or more students in a school, or 20 or more students in any grade level at a school, request the same or a substantially similar type of language acquisition program, the District shall respond by taking actions to comply with the timelines and requirements of 5 CCR 13111(h):

(1) Within 10 school days notify the parents and guardians of students attending the school, the school's teachers, administrators, and the District's English learner parent advisory committee and parent advisory committee, in writing, of the parents' requests for a language acquisition program;
(2) Identify costs and resources necessary to implement any new language acquisition program, including but not limited to certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and
(3) Determine, within 60 calendar days, whether it is possible to implement the requested language acquisition program; and provide notice, in writing, to the parents and guardians of students attending the school, the school's teachers, and administrators, of its determination;

(A) In the case of an affirmative decision to implement a language acquisition program at the school, create and publish a reasonable timeline of actions necessary to implement the language acquisition program.
(B) In the case where the District determines it is not possible to implement a language acquisition program requested by parents and guardians, the District shall provide in written form an explanation of the reason(s) the program cannot be provided and the District may offer an alternate option that can be implemented at the school. (5 CCR 13111(h).)

18. Educational Rights of High Mobility High School Students When Changing Schools After Their Second Year of High School

High school "high mobility" students, which include students in foster care, homeless, recent immigrants, migrant students, former juvenile court school pupils, and students from military families, have the following rights when transferring to a new school after their second year of high school:

Have the option to be exempted from all coursework and other requirements that are more than statewide course requirements for graduation, unless the District makes a finding that the student is reasonably able to complete the District's graduation requirements in time to graduate by the end of the fourth year of high school;

Have the option of attending a fifth year of high school in order to complete statewide graduation course requirements;

To consult with school staff and the student's educational rights holder regarding other options available to the student, such as:

(1) a fifth year of high school;
(2) transfer opportunities available through California Community Colleges; and
(3) possible credit recovery.

The consultation must also include a discussion of how remaining for a fifth year of high school or accepting an exemption from the local graduation coursework requirements may potentially impact the student's vocational plans or ability to gain admission to college, and also take into consideration the student's academic record and any other information relevant to making an informed decision. (Ed. Code, § 51225.1, subd. (b)(1), (2), and (3) and subd. (f)(1)-(3).)

Foster youth and homeless students have the right to a consultation with school staff and their educational rights holder regarding the student's option to remain in the student's school of origin; (Ed. Code, § 51225.1, subd. (b)(5).)

Have their official transcript, reflecting the correct, full and partial credits earned, sent to their new school within two business days; (Ed. Code, § 49069.5, subd. (d) and (e).)

Have their new school accept and issue the credits forwarded by the transferring school, to prevent the student from unnecessarily retaking a course (Ed. Code, § 51225.2, subd. (b); and

The official transcripts for transferring foster youth must include a determination of the days of enrollment or seat time, or both if applicable, to ensure that transferring foster youth get full credit for coursework completed at their prior school. (Ed. Code, § 49069.5, subd. (e).)

If exempted from local graduation requirements, and upon completing statewide coursework requirements before the end of the fourth year of high school, the District may not require or request that the student graduate before the end of the student's fourth year of high school. (Ed. Code, § 51225.1, subd. (e).)

California Healthy Kids Survey

NOTIFICATION AND WITHDRAWAL FORM FOR THE CURRENT SCHOOL YEAR

Each year, students at the 5th, 7th, 9th, and 11th grades participate in The Healthy Kids Survey sponsored by the California Department of Education. This is a very important survey that will help promote better health among our youth and combat problems such as drug abuse and violence. The survey gathers information on behaviors such as environmental and individual strengths and assets, alcohol, tobacco, other drug use, bullying and violence. You may examine the questionnaire in the school office or at the WestEd website at https://www.wested.org/project/california-healthy-kids-survey-chks/. Your child does not have to take the survey. Students who participate only have to answer the questions they want to answer, and they may stop taking it at any time. No names will be recorded or attached to the survey forms or data. The results will be made available for analysis only under strict confidentiality controls. The survey will be administered in November/December. It will take about one class period to complete (about 50 minutes) and will be administered in your child's P.E. class.

The survey was developed by WestEd, a public, non-profit educational institution. If you have any questions about this survey, or about your rights, call the curriculum office at 831-646-6526.

If you do not want your child to complete the survey, you must notify Lawrence Haggquist, Executive Director of Educational Services at the District Office by letter, email (lhaggquist@pgusd.org) or telephone (831-646-6526).

Miscellaneous

1. Anti-Discrimination (Federal)
   Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 prohibit discrimination on the basis of race, color, national origin, or sex (sex discrimination includes sexual harassment and discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions), marital, parental or family status in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. *Refer to Board Policy 5145.3, Regulation 5145.3, and R e gul at i o n 5145. 71 in the Attachments §.*
   You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, §504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA, formerly known as EHA). A handicap or limited English language skills will not be a barrier to District programs. The California Department of Education and the Office for Civil Rights of the U.S. Department of Education have authority to enforce these laws and all programs and activities that receive federal funds (Education Code 260, et seq., above cited federal statutes).

   Any questions or concerns concerning noncompliance can be directed to your school Principal. The District's Title IX Coordinator is the ChiefHuman Resources Officer 831.646.6507. (34 CFR §§100.6, 106.9)

2. Anti-Discrimination (State)

Discrimination, harassment, intimidation and bullying are prohibited in any program which receives state financial assistance on the basis of gender (which includes sex and a person's gender identity, gender expression and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), sex (sex discrimination includes sexual harassment and discrimination against a student based on pregnancy, child birth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions, or denial of lactation accommodations for lactating students), parental, family or marital status, age, race (includes ancestry, color, ethnicity, ethnic group identification, and ethnic background), national origin, nationality, immigration status, religion (includes all aspects of religious belief, observance and practice and includes agnosticism and atheism), mental or physical disability, genetic information, sexual orientation (includes heterosexuality, homosexuality, and bisexuality), or because a person is perceived to have one or more of the above characteristics or because a person associates with a person or group with one or more of these actual or perceived characteristics. Complaints may be filed with the Superintendent under the District's Uniform Complaint Procedure (attached).

3. Access to Programs, Activities, and Facilities Based on Gender Identity.
   Pursuant to state law, students may access sex-segregated programs, activities, and facilities, including locker room and restroom facilities, consistent with their gender identity. Any student may request the use of private or unisex restroom facilities for increased privacy. The District endeavors to protect the privacy of all students. (Education Code §221.5(f).)

4. Families in Transition/Homeless
   Local educational agencies (LEA) provide the parents or guardians of homeless children and youth with opportunities to participate in the education of their children. (42 USC 11432[g][6][A][iv])
   Homeless children and youth have equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youth. If you have uncertain housing, a temporary address, or no permanent physical address, federal and California laws guarantee that your children may be enrolled in their previous school. If this describes your family's living situations, or if you are a student not living with a parent or guardian, please contact Director of Student Services (831) 646-6523.

   Immigration Enforcement- "Know Your Rights"
   All students have the right to a free public education, regardless of immigration status or religious belief. For more information, please see the resources developed by the California Attorney General at https://www.oag.ca.gov/immigrant/rights (Education Code §234.7)

5. Rehabilitation Act and ADA Act
   § 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against qualified disabled persons in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. Please contact the District Program Coordinator with any questions. (34 CFR §104.8, 28 CFR §35.106 and 34 CFR §100.3)

6. Uniform Complaint Procedures
   It is the district's goal to resolve most parent/guardians concerns or complaints informally

and/or at the level closest to the concern/complaint as possible with the assistance of the school site administrators. If this is not possible, or if parents/guardians wish to file a written complaint about a district policy, regulation, an employee, or unlawful discrimination, or alleged violations of federal or state laws/ regulations; parents/guardians may initiate the formal complaint process.

Title 5 of the California Code of Regulations requires districts to adopt and provide Uniform Complaint Procedures to assist you with the procedure for and processing of complaints, the appeal and review procedures for complaints, and of available remedies at law. *Refer to Board Policy and Exhibit 1312.3 and Regulation and Exhibit 1312.4 in the Attachments §.*

The Governing Board designates the following compliance officer to receive and investigate all complaints and ensure District compliance with law:

Director II, Human Resources 435 Hillcrest Avenue
Pacific Grove, CA 93950 (831) 646-6507

Procedures for Filing Complaints

a. Complaint forms are specific to the type of complaint (i.e., employee, program, discrimination, Williams, Uniform, etc.) The forms are available at any school site, the District office, the District website and in this handbook.
b. The process begins by completing a complaint form and returning it to the site administrator, department head, the District Compliance Officer or the Superintendent. Complaints concerning unlawful discrimination must be initiated no later than six (6) months from the date when the alleged discrimination occurred.
c. The complaint process is handled in a confidential manner. Retaliation for a filing complaint is prohibited by law.

Contact the school Principal, the Chief Human Resources Officer or Superintendent's office for more information or to request an additional copy of these procedures. (Title 5 California Code Regulations §§4622, 4652, and 4671)

7. State Preschool Health and Safety Issues Complaints

The District operates a State preschool program, which is located at 1004 David Avenue in Pacific Grove. Complaints regarding state preschool health and safety issues are processed under the District's Regulation and Exhibit #1312.4 (see attached). Complaints must be filed with the preschool program administrator, or his/her designee, and may be filed anonymously. (Education Code § 8235.5 and 5 CCR §§ 4690 – 4694)

8. School Accountability Report Card (SARC)

The SARC is available upon request, and is also on the District's website at www.pgusd.org. It contains information about the District and schools regarding the quality of programs and its progress toward achieving stated goals. A copy will be provided upon request. (Education Code §§33126, 32286, 35256, and 35258)

9. Management Plan for Asbestos

You may request to review the complete updated management plan for asbestos containing material in school buildings. Staff, students, and parents/guardians shall be informed at least once each school year about any inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities that are planned or that are in progress. (40 CFR §§763.84(c) and 763.93)

10. Technology/Internet Use

Computers and the internet provide teachers and students with access to global information that greatly enhances their classroom experiences. To avoid the misuse of technology and related communication services, students will receive age-appropriate instruction about the obligations and responsibilities inherent with having access to technology and related communication services.

Students, as district technology users, shall sign the District's Technology User Agreement and any associated Technology User Contracts, indicating that they understand and agree to abide by all obligations and responsibilities. *Refer to Policy 6163.4 and Exhibit 6163.4 in the Attachments §.*

11. School District Committees

Parents and community members are invited to apply for membership on any committee that is called to service by the Pacific Grove Unified School District. The purpose of District committees is to advise the school and/or Board of Education regarding school problems, needs and issues. Committees function to serve in an advisory capacity to the Board of Education. For further information please contact the Superintendent's Office, (831) 646-6510.

12. Pest Control Procedure and Notification

To enhance the environmental safety of students and staff, the District has adopted an integrated pest control procedure and notification process.

Therefore, in determining when to control pests and whether to use mechanical, physical, chemical, cultural or biological means, the District shall follow the principles of integrated pest management. Procedures shall include the following:

a. The choice of using a pesticide will be based on a review of all other available options and a determination that these options are not acceptable or not feasible. The full range of alternatives, including no action, will be considered.
b. Selected non-chemical pest management methods will be used whenever possible to provide the desired control. Cost of staffing considerations alone will not be adequate justification for use of chemical control agents.
c. The pest and the site of infestation shall be carefully identified. Strategies for managing the pest will be influenced by the pest species and whether that species poses a threat to people, property or the environment.
d. When it is determined that a pesticide must be used, the least hazardous material will be chosen and applied in accordance with law.
e. Staff, students and parents/guardians shall receive information about the district's integrated pest procedures and notification of any upcoming pesticide treatments. Notice of upcoming pesticide treatments shall also be posted in areas designated by the Superintendent or designee.
f. The following records shall be maintained at each school site:
    1) Records of pesticide use at the site.
    2) Pest surveillance data sheets that record the number of pests or other indicators of pest populations that verify the need for treatments.

g. Pesticide purchases shall be limited to amounts authorized by the Superintendent or designee for use during the year. Pesticides shall be stored in a secure site not accessible to students or unauthorized staff; they shall be stored and disposed of in

accordance with EPA-registered label directions and state regulations.

h. Persons applying pesticides shall follow label precautions and shall be trained in the principles and practices of integrated pest management.

Further information regarding our District schools, programs, policies and procedures is available to any interested person upon request to our District Office and at the District's website pgusd.org (34 CFR § 99.7(b).)

13. Firearm Safety and Safe Storage of Firearms Information

Beginning with the 2023-2024 school year, school districts are required to include information in their Annual Notices related to the safe storage of firearms and California's child access prevention laws, which establish liability for parents and guardians who should have known that their child could gain access to a firearm at home. The information included in the Annual Notice must be informed by model content developed by the California Department of Education (CDE), which will be updated annually. The CDE has until July 1, 2023 to develop model content. (Ed. Code, §§ 49391, 49392, and 48986.)

Special Education Rights of Parents and Children

Notice of Procedural Safeguards

See linked document in Resources titled "Monterey County Special Education Local Plan Area – Notice of Procedural Safeguards"

Notice of Parent and Student Rights Under § 504, Rehabilitation Act of 1973

The Rehabilitation Act of 1973, which includes "§ 504," is a civil rights statute enacted by the United States Congress. The purpose of § 504 is to prohibit discrimination against persons with disabilities participating in, or receiving benefits from, programs receiving federal financial assistance, and ensures that eligible disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

§ 504 defines a student with a disability as one who: (a) has a physical or mental impairment that substantially limits one or more major life activities, such as learning; or (b) has a record of such an impairment; or (c) is regarded as having such an impairment.

Dual Eligibility: Some students may be eligible for educational services under both § 504 and the Individuals with Disabilities Education Act ("IDEA").

The implementing regulations for § 504, as set out in 34 CFR, Part 104, provide eligible students with disabilities and their parents with the following rights:

1. Parents' Rights: You have a right to be informed by the District of your rights under § 504. (The purpose of this Notice form is to advise you of those rights.) 34 CFR 104.32.
2. FAPE: Your child has the right to a free appropriate public education designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met. 34 CFR 104.33
3. Free Education: Your child has the right to free educational services, with the exception of certain costs that are also imposed on non-disabled students or their parents. Insurers and similar third parties are not relieved of an otherwise valid obligation to provide or pay for services provided to a student who becomes eligible for services under § 504. 34 CFR 104.33

4. LRE: Your child has a right to an educational placement in the least restrictive environment, which means that to the maximum extent appropriate, your child has the right to be educated with non-disabled students, and has the right to be educated in regular classes, unless your child's needs cannot be adequately met in the regular classroom, even with the use of supplementary aids and services. 34 CFR 104.34.
5. Comparable Facilities: Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students. 34 CFR 104.35.
6. Evaluations: Your child has a right to an evaluation prior to an initial § 504 placement and, if eligible for services under § 504, before any subsequent significant change in placement. 34 CFR 104.35.
7. Testing Procedures: Testing and other evaluation procedures must conform to the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. The District shall consider information from a variety of sources, including, for example, aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. 34 CFR 104.35.
8. § 504 Student Study Team: Placement decisions must be made by a group of persons, including persons knowledgeable about your child, the meaning of the evaluation data, and the placement options, and placement decisions must be made in conformity with least restrictive environment and comparable facilities obligations. 34 CFR 104.35.
9. Re-evaluations: If eligible for services under § 504, your child has a right to periodic re-evaluation, including prior to any significant change in placement. 34 CFR 104.35.
10. Prior Notice: You have the right to notice prior to any action by the District in regard to the identification, evaluation, or placement of your child. 34 CFR 104.36
11. Records: You have the right to examine relevant records of your student. 34 CFR 104.36
12. Due Process Procedures: You have the right to an impartial due process hearing if you wish to contest District action regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney, if you wish to retain one. 34 CFR 104.36
13. Review Procedures: You have the right to seek review in federal court if you disagree with the hearing officer's decision upon conclusion of a due process hearing. 34 CFR 104.36
14. Internal Procedures: If you disagree with the identification, evaluation, or placement of a student with disabilities under § 504, you may, but are not required to, initiate the procedures covered in Administrative Regulation 6164.6, which is available on the District's website or upon request.
15. OCR Complaints: You have a right to file a complaint with the Office for Civil Rights. The following is the contact information for the regional office that covers California:

    Office for Civil Rights
    U.S. Department of Education
    50 United Nations Plaza
    Mail Box 1200, Room 1545
    San Francisco, CA 94102
    Telephone: (415) 486-5555
    TDD (800) 877-8339
    Facsimile: (415) 486-5570
    Email: OCR.SanFrancisco@ed.gov
16. Discipline Procedures: When a student with a disability is suspended or expelled for more than 10 consecutive school days in one school year, or when there is a pattern of removals exceeding 10 school days, a significant change in placement has occurred and the District must conduct a manifestation determination review, unless the student is solely eligible under § 504 and the conduct at issue is the illegal use or possession of alcohol or drugs and

the student is currently engaged in the use of alcohol or drugs. In such instances of alcohol or drug use or possession, as well as in instances where the suspension(s) or expulsion is 10 days or less, the District may take the same disciplinary action against your child that it would take against a nondisabled student.

A manifestation determination review is conducted by the student's § 504 Team at a meeting to which the student's parents will be invited to attend. The review will determine whether the student's behavior at issue was a manifestation of his/her disability, and this is done by answering two questions: 1) was the conduct in question caused by, or had a substantial relationship to, the student's disability; and, 2) was the conduct in question the direct result of the District's failure to implement the student's § 504 plan. If the answer to both questions is "no," then the alleged misconduct shall be determined not to be a manifestation of the student's disability and the student may be disciplined for the conduct in question in the same manner as a student without disabilities. If the answer to either question is "yes," then the student may not be disciplined for the conduct in question.

You will be informed of the § 504 Team's decision in writing and the right to request an impartial hearing on the issue. Neither your disagreement with the determination nor your request for an impartial hearing shall preclude the District from proceeding with disciplinary action. If, following an impartial hearing and the exhaustion of any judicial proceedings reviewing that decision, it is determined that the misconduct was caused by the student's disability or by a failure to implement a § 504 plan, then the District shall reinstate the student to his/her prior educational program and shall promptly hold a § 504 Team meeting to re-examine the student's current educational needs.

REMINDER: The procedural safeguards outlined in this Notice apply only to eligible students under § 504. Students protected by the IDEA are to follow IDEA procedures. For more information, please contact the District's § 504 Coordinator, Director of Student Services at (831)646-6523.

College Admissions Requirements/Career Technical Education

(Education Code § 51229)

Parents of students enrolled in grades 9-12 have a right to receive annual notice of the following college admissions requirements and career technical education information:

A. College Admissions Requirements

University of California:

There are three paths to eligibility for freshmen:

1. Eligibility in the Statewide Context - Students must complete specific coursework and college admissions tests and earn the required GPA and test scores.
2. Eligibility in the Local Context (ELC) - Students must rank in the top 4 percent of their graduating class at a participating California high school.
3. Eligibility by Examination Alone - Students must achieve specified high scores on their college admissions tests.

The following website links provide more information regarding University of California admission requirements:

- http://admission.universityofcalifornia.edu/
- http://www.universityofcalifornia.edu/admissions/undergrad_adm/paths_to_adm/freshman/subject_reqs.ht ml

California State University:
Most applicants who are admitted meet the standards in each of the following areas:

1. Specific high school courses
2. Grades in specified courses and test scores
3. Graduation from high school

The following website link provides more information regarding the California State University admission requirements:
http://www.csumentor.edu/planning/high_school/

B. Career Technical Education
Career Technical Education is a program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. For more information, visit the California Department of Education's website at http://www.cde.ca.gov/ci/ct/

Guidance Counseling
Students may meet with guidance counselors at their school to discuss college admission requirements and/or to enroll in career technical education courses.

Resources

Annual Notification of Pesticide Use
Education Code § 48853.5 - Foster Child Protections
California Foster Youth Education Law Fact Sheets
Monterey County Special Education Local Plan Area Notice of Procedural Safeguards
California Department of Education Type 1 Diabetes Information
Education Code § 48205 Excused Absences
Education Code § 58501 Notice of Alternative Schools
Board Policy 1312.3 Uniform Complaint Procedures
Board Regulation 1312.3 Uniform Complaint Procedures
Exhibit 1312.3- E(1) Uniform Complaint Procedures
Exhibit 1312.3- E(2) Uniform Complaint Procedures
Exhibit 1312.4- E(1) Williams Uniform Complaint Procedures
Exhibit 1312.4- E(2) Williams Uniform Complaint Procedures
Exhibit 1312.4- E(3) Williams Uniform Complaint Procedures
Board Policy 5145.7 Sexual Harassment
Board Regulation 5145.7 Sexual Harassment
Board Regulation 5145.71 Title IX Sexual Harassment Complaint Procedures
Exhibit 5145.71 Title IX Sexual Harassment Complaint Procedures
Elementary School Counseling Informed Consent Form
California Law Regarding Safe Storage of Firearms