

**HESPERIA UNIFIED SCHOOL DISTRICT  
CERTIFICATION OF RECEIPT OF NOTIFICATION OF PARENTS' RIGHTS  
2008 - 2009**

I hereby certify that I have received a copy of the Notification of Parents' Rights from the Hesperia Unified School District.

**In accordance with California Education Code 48982, please complete this form and return it to your student's school as soon as possible. PLEASE KEEP THE ATTACHED COPY OF THE "NOTIFICATION OF PARENTS' RIGHTS" FOR YOUR RECORDS.**

STUDENT NAME (PLEASE PRINT) \_\_\_\_\_

PARENT/GUARDIAN NAME (PLEASE PRINT) \_\_\_\_\_

PARENT/GUARDIAN SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

California Education Code 48981 - Time and means of notification.

The notice shall be sent at the time of registration for the first semester or quarter of the regular school term. The notice may be sent by regular mail or by any other method normally used to communicate with the parents or guardians in writing.

California Education Code 48982 - Signature; return to school; effect of signature.

The notice shall be signed by the parent or guardian and returned to the school. Signature of the notice is an acknowledgment by the parent or guardian that he/she has been informed of his/her rights but does not indicate that consent to participate in any particular program has either been given or withheld.

**NOTIFICATION OF PARENTS' RIGHTS**  
**HESPERIA UNIFIED SCHOOL DISTRICT**  
15576 MAIN STREET, HESPERIA, CA 92345  
(760) 244-4411

This is the annual notice to parents/guardians of students enrolled in the Hesperia Unified School District. This notice, which is required by Education Code 48980(a), provides important information about federal laws and state education codes, as well as information relating to rights of parents or guardians of children. A copy is available in Spanish at your school. Este aviso, que resume las leyes federales y estatales con respecto a los derechos de padres o tutores, esta a su disposicion en espanol. Si usted desea una copia, puede pedir una en la escuela. The abbreviations at the end of each section refer primarily to Education Code (E.C.) sections where you may find more information. Education code reference material is also available at each school.

**A L T E R N A T I V E   E D U C A T I O N**

**ALTERNATIVE SCHOOLS** - California law authorizes all school districts to provide for alternative schools. E.C. 58500 defines an alternative school as a school or separate class group within a school, which is operated in a manner designed to:

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

In the event any parent, guardian, pupil, or teacher is interested in further information concerning alternative schools, the administrative offices of this District and the County Superintendent of Schools have copies of the law available for your information.

For additional information about these programs, you may call Mojave High School at 948-3999, X 116. Application forms for enrollment in any alternative program may be obtained at either Mojave High School, 16633 Lemon Street, or the Alternative Ed Center, 16527 Lemon, in Hesperia. (E.C. 58501)

**NOTIFICATION OF ADDITIONAL EDUCATIONAL OPTIONS FOR SECONDARY STUDENTS (Grades 7-12) -**

Following are other educational options which may be of interest to parents of secondary students. Please do not hesitate to call the contact person listed for additional information:

**MOJAVE HIGH SCHOOL 948-3999 x 114**  
*(East side of town)*

Serves grades 9-12 and provides an alternative to the comprehensive high school setting with smaller student-teacher ratios, individualized instruction, and a more intimate environment. Students must be at least 16 years of age and be referred by their counselor.

**CANYON RIDGE HIGH SCHOOL 244-6530**  
*(West side of town)*

Serves grades 9-12 and provides an alternative to the comprehensive high school setting with smaller

student-teacher ratios, individualized instruction, and a more intimate environment. Students must be at least 16 years of age and be referred by their counselor

**SUCCESS 244-1771 x 188**

***Structured Unique Classroom Coordinated to Ensure Student Success***

An intensive, highly structured option for special education students who are at risk. A student must be referred through Special Services and must have a current IEP recommending SUCCESS.

**INDEPENDENT STUDY 244-6530**

Independent Study students, grades 7-12, complete assignments according to a Master Agreement outlining goals and objectives that lead to the completion of graduation requirements. Work is done at home with parent supervision. The Independent Study staff guide and evaluate student work during individually scheduled appointments. Transportation is not provided for this program.

**CAL SAFE-TEEN PARENT PROGRAM**

**948-3999 x 170**

This program is designed to provide comprehensive services for pregnant and parenting teens (moms and dads). Students pursue an academic program supplemented by courses in pregnancy, childbirth, and parenting. Students attend classes on a regular schedule at Mojave High School.

**WORK EXPERIENCE 244-1771 x 130**

Work experience is a partnership between the school and the community. It provides opportunities for students 16 years and older to experience the world of work while exploring career options and earning high school credit. If you are interested in this program, please contact the counseling department at the school that the students currently attend.

**COMMUNITY DAY SCHOOL 244-1771 x 188**

This is a program for students who have been recommended for expulsion and may no longer attend other schools in the District. Students are referred to this program by the District or School Attendance Review Board (SARB).

**GED TEST PREPARATION 244-1771 x 104**

This program prepares adults for the five-part GED exam. Students are eligible to take the test 60 days prior to their 18th birthday. A passing grade confers a GED certificate, which is deemed equivalent to a high school diploma for most state and local public agencies.

**SHADOW RIDGE ALTERNATIVE PROGRAM**

**244-6530**

**REQUEST BY PARENT/GUARDIAN TO ESTABLISH PROGRAM** - The parent/guardian of any pupil may request the governing board of a school district to establish an alternative school program or programs in the district pursuant to this chapter. (E.C. 58502)

**GRADUATION REQUIREMENTS** - Requirements for graduation and alternative modes for completing the prescribed course of study must be made available to pupils, parents and the public. (E.C. 51225.3)

Shadow Ridge High School provides students with alternatives to the traditional classroom setting. State mandates and district curriculum guides instruction that is individualized to serve each student's needs.

**ROP 244-1771 x 153**

ROP classes offer vocational training, career guidance, and placement services to students 16 years and older. ROP teaches basic skills through community-based job training in local business and industry. Students earn elective high school credit for completing these classes.

**TWILIGHT CLASSES 244-1771 x 157**

The District offers free behavioral intervention classes in the Alternative Education Center twice a week. Classes, limited to 12 participants, are scheduled after the regular school day, and currently include DRUG & ALCOHOL AWARENESS and ANGER MANAGEMENT. Students who attend 12 classes receive a certificate of completion.

**WORKABILITY 244-1771 x 102**

Workability provides pre-employment skills, classroom training, paid work experience and work site supervision for special education students who are between the ages of 14 and 21. Students will gain an understanding of job seeking skills, expected workplace behavior and available employment opportunities.

**ADULT HIGH SCHOOL PROGRAMS**

**244-1771 x 110**

These programs provide opportunities for adult students to earn their high school diplomas and prepare for entry level employment. Classes include: preparation for the GED, the adult diploma program, vocational training, English language development and citizenship.

**SUNSET POINT HIGH SCHOOL 244-1771 x188**

Serves grades 9-12 and provides an alternative to the comprehensive high school setting with smaller student-teacher ratios, individualized instruction, and a more intimate environment. Classes are held in the evenings, Monday – Thursday, 5:00-9:00 p.m. and Friday, 3:00-7:00 p.m.

**ATTENDANCE**

**GRADE REDUCTION/LOSS OF CREDIT** - No pupil may have his or her grade reduced or lose academic credit for any absence or absences excused pursuant to E.C. 48205 when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

**ALLOWED ABSENCES** - (E.C. 48205)

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to his or her illness.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside of California.
  - (5) For the purpose of jury duty in the manner provided for by law.
  - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
  - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a non-profit organization, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

**OPEN ENROLLMENT TRANSFERS** - California law requires all school boards to inform each student's parent/guardian at the beginning of the school year of the various ways in which they may choose schools for the children to attend other than the ones assigned by school districts. Students that attend schools other than those assigned by the districts are referred to as "open enrollment transfer students" throughout this section. There is one process for choosing a school within the district which the parent/guardian lives (intradistrict transfer), and two separate processes for selecting schools in other districts (interdistrict transfer). Following are the general requirements and limitations of each process:

**Intradistrict Transfers (choosing a school within the district in which parent/guardian lives).**

The law limits choice within a school district as follows:

- a. Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- b. In cases where there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student's academic or athletic performance as a reason to accept or reject a transfer.
- c. Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
- d. A district is not required to provide transportation assistance to a student that transfers to another school in the district under these provisions.
- e. If a transfer is denied, a parent/guardian does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents/guardians to appeal. (E.C. 35160.5)

**Interdistrict Transfers (choosing a school outside the district in which parent/guardian lives).** Parent/guardians have the following two different options for choosing a school outside the Hesperia Unified School District:

1. Both the school district a parent/guardian is requesting a transfer to and the one a parent/guardian is transferring from must take into consideration the child care needs of the student. If the transfer is approved based on childcare needs, the student may be allowed to stay in the new district or the high school district to which it feeds through the 12th grade, subject to certain conditions.
  - a. If either district denies a transfer request, a parent/guardian may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision. (E.C. 46600 through 46611)
  
2. If one or both parents/guardians of an elementary school student are employed in the boundaries of a school district other than the one in which they live, the student may be considered a resident of the school district in which his/her parents or guardians work. This code section does not require that a school district automatically accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions include:
  - a. Either the district in which the parent/guardian lives or the district in which the parent/guardian works may prohibit the transfer if it is determined that there would be a negative impact on the district.
  - b. The district in which the parent/guardian works may reject a transfer if it determines that the cost of educating the student would be more than the amount of government funds the district would receive for educating the student. This limitation might particularly apply to any special needs student that would require extra services from the district for which the district believes the state aid it would receive would not fully pay.
  - c. There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
  - d. There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent/guardian the specific reasons for denying the transfer. (E.C. 48204 (f))

**RELIGIOUS ABSENCES** - With your **prior** written permission, your child may be excused to attend religious services away from school. However, your child will be required to attend school for a certain number of minutes for that day. Such absences are limited to four days per school month. (E.C. 46014)

**RESIDENCY BASED ON PARENT’S OR GUARDIAN’S EMPLOYMENT** - The district of the parent or guardian’s employment may be considered the district of residence for pupils. (E.C. 48204)

**TRUANCIES** - Any student who is absent from school without valid excuse three (3) days or tardy in excess of 30 minutes on each of three (3) days is truant (E.C. 48260). Students who are found to be truant will be referred to the HUSD School Attendance Review Board for appropriate action. Parents or guardians of students who are found to be truant are subject to criminal complaint and may be prosecuted. (E.C. 48292)

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

- a. That the pupil is truant.
- b. That the parent/guardian is obligated to compel the attendance of the pupil at school.
- c. That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.
- d. That alternative educational programs are available in the district.
- e. That the parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil’s truancy.
- f. That the pupil may be subject to prosecution under Section 48264.
- g. That the pupil may be subject to suspension, restriction, or delay of the pupil’s driving privilege pursuant to Section 12303.7 of the Vehicle Code.
- h. That it is recommended that the parent/guardian accompany the pupil to school and attend classes with the pupil for one day. (E.C. 48260.5)

## **DISCIPLINE**

**ATTENDANCE OF SUSPENDED CHILD’S PARENT/GUARDIAN FOR PART OF A SCHOOL DAY** - The student’s parent or guardian may be required to attend a portion of a school day in the classroom of his or her child or ward. The attendance of the parent or guardian shall be limited to the class from which the pupil was suspended for violations of education codes education code section 48900 subdivisions i or k on the day the student returns to class or within one week

thereafter. The policy shall take into account reasonable factors that may prevent compliance with a notice to attend. Employer sanctions are prohibited. (E.C. 48900.1)

**DRESS CODE/GANG-RELATED APPAREL** - It is the intent of the Board, District, and site personnel to provide a safe, healthy and educationally motivating environment for students. Street gangs and hate groups operating throughout Southern California have been associated with a number of instances of violence and illegal activities. Many students and their parents fear the presence of such gangs. Jackets, bandanas, hats, jewelry and other signs and insignia of group membership disrupt campuses by engendering fear and posing a potential for violence in the form of inter-group conflict. Therefore, the Board of Education finds the wearing of gang signs, insignia and distinctive modes of dress to be on its face a violation of its policy on student dress, and instructs and directs such group identification to be prohibited on the Hesperia Unified School District campuses and at any District function or activity. Any clothing or accessories identified by the San Bernardino Sheriff's Department as being gang-related will be forbidden on campus. (E.C. 35183, HUSD B.P. 5132)

**GROUND FOR SUSPENSION OR EXPULSION** - Students may be suspended and/or recommended for expulsion for the following offenses:

California Education Code **48900**: (Grades K - 12)

- a. (1) Caused, attempted to cause, or threatened to cause physical injury to another person; or (2) Willfully used force of 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 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 Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage or an intoxicant of any kind, and 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, and betel. However, this section 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 Section 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 section, "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 Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 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 Section 245.6 of the Penal Code.
- s. A pupil aids or abets as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.

California Education Code **48900.2** (Grades 4 - 12)

Committed sexual harassment as defined in E.C. Section 212.5.

California Education Code **48900.3** (Grades 4 - 12)

Caused, attempted to cause, threatened to cause, or participated in, an act of hate violence, as defined in subdivision (e) of E.C. Section 233.

California Education Code **48900.4** (Grades 4 - 12)

Intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

California Education Code **48900.7**

Has made terroristic threats against school officials or school property, or both. For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

California Education Code **48915-MANDATORY RECOMMENDATION FOR EXPULSION** (Grades K - 12)

- (A)
  1. Causing serious physical injury to another person, except in self-defense.
  2. Possession of any knife, or other dangerous object of no reasonable use to the pupil.
  3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
  4. Robbery or extortion.
  5. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
- (C)
  1. Possessing, selling, or otherwise furnishing a firearm.
  2. Brandishing a knife at another person.
  3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
  4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
  5. Possession of an explosive.

**NOTIFICATION TO TEACHERS** - Teachers shall be notified if one of their students has committed one of the above violations (except 48900 (h) within the past three years of the current school year. (E.C. 49079)

**LASER POINTERS** - Possession of a laser pointer by any student on any elementary or secondary school premise is prohibited unless possession is for valid instruction. It is further prohibited that a laser pointer be pointed into the eyes of another, into a moving vehicle, or into the eyes of a guide dog, signal dog, service dog, or dog being used by a peace officer. (PC 417.27)

**SCHOOL DISCIPLINE RULES** - The parent or guardian of any student has the right to inspect the District's discipline rules, which are available at each school site and at the District Office during regular office hours. School sites may adopt rules and procedures on school discipline to maintain the welfare and safe conduct of students. (E.C. 35291 and E.C. 35291.5)

**STUDENT CONDUCT, PHYSICAL CONTROL** - Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. A teacher, vice principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree of physical control over a pupil would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning. The provisions of this section are in addition to and do not supersede the provisions of Section 49000 of this code. (E.C. 44807, Amend. Stats. 1976, Ch. 1010)

**STUDENT RESPONSIBILITIES** - Every pupil shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of his/her teacher and others in authority; be diligent in study; be kind and courteous to schoolmates; and refrain from the use of profane and vulgar language. (C.C.R. Title 5, Sec. 300, Reg. 77, No. 39)

**EXPULSION PROCEDURES** - Written notice of an expulsion hearing shall be forwarded to the pupil at least ten calendar days prior to the hearing. The parent and student have the right to be represented by legal counsel or a non-attorney advisor. Written results of the hearing shall be forwarded to the parent/guardian by the superintendent or designee. Parents must notify any new district of enrollment of the pupil's status in the expulsion process. The notice to expel shall include a notice of the educational alternative placement to be provided to the pupil during the time of expulsion. Governing boards have the authority to issue subpoenas. Subpoenaed witnesses shall be informed regarding their receipt of applicable fees. (E.C. 48918)

## **HEALTH/HEALTH EDUCATION**

**ASBESTOS MANAGEMENT PLAN** - Parents, guardians, teachers and employee organizations may, upon request, review the complete, updated management plan for asbestos-containing materials in school buildings. (Code of Federal Regulations, Title 40 (40 CFR Section 763.93))

**CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM** - The parent or guardian of all kindergarten students shall be provided with information regarding the health screening and evaluation and other benefits provided under Chapter 2, Article 3.4 of the "Health & Safety Code." (H & S Code 124085, 124100, 124105, and 120475)

**CONFIDENTIAL MEDICAL SERVICES** - School authorities may excuse any pupil in grades 7 to 12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. (E.C. 46010.1)

**EXCUSE FROM INSTRUCTION - RELIGIOUS BELIEFS** - By written request of the parent or guardian regarding any part of the instruction in health, family life education, AIDS education, sex education, and child abuse primary prevention program conflicting with the religious training and beliefs of the parent or guardian of any pupil, the pupil shall be excused from the part of the training which conflicts with such religious training and beliefs. (E.C. 51240 and W&I C. 18976.5)

**EXCUSE FROM INSTRUCTION - AIDS/AIDS PREVENTION** - At the beginning of the school year or upon new student enrollment, each parent or guardian shall be notified of the purposes of AIDS prevention instruction and of their right to request copies of Education Code Section 51933 and Section 51934 related to AIDS prevention instruction. This notice will advise the parent or guardian whether the comprehensive sexual health education or HIV/AIDS Prevention education will be taught by school district personnel or by outside consultants. If a school elects to provide comprehensive sexual health education or HIV/AIDS prevention education by outside consultants or guest speakers, the notice shall include the date of the instruction, and the name of the organization or affiliation of each guest speaker. The notice shall further specify that any parent or guardian may request that his/her child not receive AIDS prevention instruction. (E.C. 51938)

**HEARING AND VISION TESTING** - Each child's vision shall be appraised every third year until the child has completed the eighth grade. (E.C. 49455) Each child shall be given a hearing screening test in kindergarten or first grade and in second, fifth, eighth, tenth, or eleventh grades and upon first entry into the California public school system. (C.C.R. Title 17) These sections do not apply to any child whose parents file with the principal a statement in writing, signed by the parent or guardian, stating that he will not consent to a physical examination of his child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

**HOSPITALIZED STUDENT** - Any pupil with a temporary disability who is hospitalized, shall be deemed to have met the residency requirements for school attendance in the school district in which the hospital is located. (E.C. 48207) The parent or guardian of a pupil with a temporary disability has the primary responsibility to notify the school district in which the hospital is located that the student is a patient. After review of the statement of the attending physician, the school district where the hospital is located will make a determination within five working days as to the possibility of providing individualized instruction to the student. (E.C. 48208)

**IMMUNIZATIONS FOR COMMUNICABLE DISEASES** – The Governing Board is authorized to permit licensed personnel to administer immunizing agent to pupils, whose parents have consented in writing, to prevent or control communicable diseases. (E.C. 49403)

**IMMUNIZATIONS** - The governing authority of each school district shall prohibit from further attendance any pupil admitted conditionally who failed to obtain the required immunizations within the time limits allowed in the regulations of the State Department of Public Health, unless the pupil is exempted under Sections 3385 (Contrary to Beliefs) or 3386 (Medical Circumstance), until that pupil has been fully immunized against Hepatitis B, diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, and rubella, except that all students who have reached the age of seven shall not be required to be immunized against pertussis. The governing board of the district shall notify the parent or guardian of the pupil that they have two weeks to supply evidence either that the pupil has been properly immunized, or that the pupil is exempted from the immunization requirement pursuant to Section 120365 or 120370 of the Health and Safety Code. (Health and Safety Code 120375 and E.C. 48216(b), 49403)

**INDIVIDUALIZED INSTRUCTION** - Upon providing a physician’s statement that a pupil with a temporary disability which makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or inadvisable for a minimum period of two (2) weeks, the pupil shall be eligible to receive individual instruction provided by the district in which the pupil is deemed to reside. (E.C. 48206.3) (E.C. 48980 b)

**MEDICAL/ACCIDENT INSURANCE** - The parent or legal guardian of any pupil may purchase insurance through the school district to defray the cost of medical treatment for illness, sports injuries, or injuries to pupils of the district arising out of accidents occurring while in or on buildings and other premises of the district during the time such pupils are required to be therein or by reason of their attendance upon a regular day school or while being transported by the district to and from school or other place of instruction, or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. (E.C. 32221.5 and E.C. 49472)

**MEDICATION** - The parent or legal guardian of any pupil on medication shall annually inform the school of the medication being taken, the current dosage, and the name of the supervising physician. All medications will be maintained by and kept in the appropriate school office. Medication for K-12 students must be delivered to the school by the parent or guardian with written instructions for use. (E.C. 49480) Any pupil who is required to take, during the regular schoolday, medication prescribed for him or her by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer prescription auto-injectable epinephrine if the school district receives the appropriate written statements: (1) a written statement (renewed annually) from such physician detailing the medication, method, amount, and time schedules by which the medication is to be taken; and (2) a written statement (renewed annually) from the parent, foster parent, or guardian of the pupil indicating the desire that the school assist the pupil in the matters set forth in the statement of the physician (E.C. 49423).

In order for a pupil to carry and self-administer prescription auto-injectable epinephrine, the school district must receive: (1) a written statement from the physician or surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine, and (2) a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the school district and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication pursuant to this paragraph.

These written statements shall be provided at least annually and more frequently if the medication, dosage, frequency of administration or reason for administration changes. (E.C. 49423)

A pupil may be subject to disciplinary action pursuant to Section 48900 if that pupil uses auto-injectable epinephrine in a manner other than as prescribed.

**ASTHMA MEDICATION** - Any pupil who is required to take, during the regular schoolday, medication prescribed for him or her by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer inhaled asthma medication if the school district receives the appropriate written statements specified below.

In order for a pupil to be assisted by a school nurse or other designated school personnel pursuant to subdivision (a), the school district must receive: (1) a written statement from the physician or surgeon detailing the name of the medication,

method, amount, and time schedules by which the medication is to be taken and (2) a written statement from the parent, foster parent, or guardian of the pupil requesting that the school district assist the pupil in the matters set forth in the statement of the physician and surgeon.

In order for a pupil to carry and self-administer prescription inhaled asthma medication the school district must receive: (1) a written statement from the physician and surgeon detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer inhaled asthma medication, and (2) a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the school district and school personnel from civil liability if the self-administering pupil suffers an adverse reaction by taking medication pursuant to this section.

The written statements specified in this subdivision shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.

A pupil may be subject to disciplinary action pursuant to E.C. Section 48900 if that pupil uses inhaled asthma medication in a manner other than as prescribed. (E.C. 49423.1)

**NUTRITION** - Free and reduced price lunches are available to qualifying students. Free and reduced priced applications are available to all students. Notices offering the program to qualified families are sent to the newspaper and unemployment offices. Students who qualify can submit applications at the school offices. (E.C. 49500-49512, E.C. 49520 and E.C. 48980(b))

**PHYSICAL EXAMINATION** - A parent or guardian may file annually with the principal a statement in writing, signed by the parent or guardian, stating that he/she will not consent to a physical examination of his/her child and the child shall be exempt from any physical examination. If there is good reason to believe that the child is suffering from a recognized contagious or infectious disease, he/she shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist. (E.C. 49451)

**SEX EDUCATION** - If classes are offered in which human reproductive organs and their functions and processes are described, illustrated or discussed, the parent or guardian of each pupil enrolled in such class shall first be notified in writing of the class. A parent or guardian may request, in writing, that his/her child not attend the class. Any written or audiovisual material to be used in the class shall be available for inspection by the parent at reasonable times and places prior to the holding of the course. This section shall not apply to descriptions or illustrations of human reproductive organs which may appear in a textbook, adopted pursuant to law, on physiology, biology, zoology, general science, personal hygiene, or health. (E.C. 51933 and E.C. 51938)

**SEXUALLY TRANSMITTED DISEASE INSTRUCTION** - If sexually transmitted disease education is offered, the parent or guardians of the pupils enrolled shall be notified in writing of the instructional program. The parent or guardian may request in writing that his/her child or ward not participate. All public elementary, junior high, and senior high school classes that teach sex education and discuss sexual intercourse shall emphasize that abstinence from sexual intercourse is the only protection that is 100 percent effective against unwanted teenage pregnancy, sexually transmitted diseases, and acquired immune deficiency syndrome (AIDS) when transmitted sexually. All material and instruction in classes that teach sex education and discuss sexual intercourse shall be age appropriate. (E.C. 51934 and E.C. 51938)

## **INSTRUCTION/COUNSELING**

**CAREER COUNSELING** - Career counseling and course selection shall be unbiased with sexual equity. Parents may participate in counseling sessions and decisions. (Title VI, Civil Rights Act; Title IX; and E.C. 221.5(d))

**PUPIL'S RIGHT TO REFRAIN FROM THE HARMFUL OR DESTRUCTIVE USE OF ANIMALS** - Any pupil with a moral objection to dissecting or otherwise harming or destroying animals shall notify his/her teacher regarding this objection. The parent or guardian must provide a signed note indicating the pupil's objection. The teacher and the pupil may agree to an alternative educational project. (E.C. 32255-32255.6)

**TESTS** - No test, questionnaire, survey or examination, containing any questions about the pupil's parent's or guardian's personal beliefs or practices in sex, family life, morality and religion shall be administered to any pupil unless the parent or guardian gives prior written permission. (E.C. 51513)

**HIGH SCHOOL EXIT EXAMINATION** - Commencing with the 2000-01 school year, and each school year thereafter, a notification shall advise the parent or guardian of the pupil that, commencing with the 2005-06 school year, and each school year thereafter, each pupil completing the 12<sup>th</sup> grade will be required to successfully pass the High School Exit Examination. The notification shall include, at a minimum, the date of the examination, the requirements for passing the examination, the consequences of not passing the examination and that passing the examination is a condition of graduation shall be sent to the parent/guardian. (E.C. 48980(e))

**STATEWIDE PUPIL ASSESSMENT PROGRAMS** - A parent or guardian can request in writing to school officials to excuse his or her child from any or all parts of assessments administered under the statewide Pupil Assessment Program. This includes all tests within the State Testing And Review (STAR) program for the State of California. (E.C. 60615)

**ADVANCED PLACEMENT EXAMINATION** - State funds are available to cover costs of advanced placement fees at the parent or guardian's request pursuant to E. C. 52244. (E.C. 48980 (K))

**PROMOTION/RETENTION OF PUPILS** - Parents should be notified when a pupil is identified as being at risk of retention. Notice shall be provided as early in the school year as practicable (E.C. 48070.5). Parents are strongly encouraged to speak with their child's classroom teacher frequently to ensure that their child is progressing academically. Early intervention is critical to student success. Parents should review graded papers, tests, and homework with your child daily. If you believe that your child is not grasping important concepts, or if you see a series of poor grades within a subject, contact your child's teacher immediately. Parents can communicate with their child's teacher by writing notes, calling the teacher, and making appointments for a parent/teacher conference. Parents may contact the school office to set up appointments to meet with teachers and administrators to discuss their child's academic progress.

**RIGHTS & RESPONSIBILITIES OF PARENTS/GUARDIANS WITH CHILDREN IN PUBLIC SCHOOL** - Parents and guardians of pupils have the responsibility to work together in a mutually supportive and respectful partnership with the schools in order to obtain a working agreement for the following rights:

- To observe in their child's classroom (upon reasonable notice).
  - To meet with their child's teacher and the school principal (upon reasonable notice).
  - To volunteer their time and resources at school.
  - To be notified on a timely basis if their child is absent from school without permission.
  - To be notified concerning their child's classroom and standardized test performance.
  - To request a specific school and/or teacher and to receive a response from the school district. (This does not obligate the school district to grant the request).
  - To have a safe and supportive learning environment for their child.
  - To examine curriculum materials of their child's class.
  - To be informed of their child's progress and appropriate school personnel to contact in the event of problems.
  - To access student records for their child.
  - To receive information about the academic performance standards, proficiencies, or skills their child is expected to accomplish.
  - To be informed in advance about school rules, policies, dress codes, and procedures for visiting the school.
  - To receive information about any psychological testing of their child and to deny permission for such testing.
  - To participate as a member of any school site councils or parental advisory councils at the school, in accordance with governing membership.
  - To question, and receive an answer regarding, items in their child's record that appear inaccurate, misleading, or that invade privacy.
  - To be notified as early in the year as practical if their child is identified as being at-risk of retention and the right to consult with school personnel regarding any decision to promote or retain and to appeal a decision to promote or retain.
- (E.C. 51101)

**RIGHT TO INSPECT INSTRUCTIONAL MATERIALS** - Parents or guardians of pupils have the right to inspect all instructional materials and assessments, including books, teacher's manuals, films, tapes, and software that are provided for educational purposes. The district has compiled a course of study document that outlines all the courses offered in grades 7 through 12. Information includes titles, descriptions and instructional aims of every course. (AB 1216) (E.C. 49091.14)

**TEACHER QUALIFICATIONS** - Parents and guardians have the right to request information regarding the professional qualifications of their child's teacher including:

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

To be notified if their child is taught by a teacher that is not “highly qualified” for four consecutive weeks.  
(Section 9101(23) *No Child Left Behind Act*)

## **SPECIAL EDUCATION**

**CHILD FIND** - It is the policy of the Desert/Mountain SELPA that all students with disabilities, birth through 21, be actively sought, identified, assessed and served as appropriate. (E.C. 56300 - 56303)

**HANDICAPPED INDIVIDUALS** - No otherwise qualified handicapped individual in the United States, shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. (Section 504 of the Rehabilitation Act of 1973)

**SPECIAL EDUCATION** - Every individual with a disability who is eligible to receive Special Education instruction and/or related services shall receive such education or services in the least restrictive environment, at no cost to the parents or student. No pupil may be required to participate in any special class or program unless the parent is first apprised of the facts which make participation in the special program necessary or desirable, and after such notice, parental consent to the placement and the individual education plan must be received in writing. (E.C. 56040; E.C. 56346; E.C. 56301; E.C. 56506; Individuals with Disabilities Act (IDEA))

**ASSESSMENT/DUE PROCESS** - Parents will be notified that upon completion of the assessment for special education, an individualized education program team meeting will be held. The purpose of the meeting will be to discuss the assessment, the educational recommendations, and the reasons for the recommendations. Additionally, parents are entitled to a copy of the assessment report and the documentation of determination of eligibility. (E.C. 56329)

**AGE OF MAJORITY** - Beginning at least one year before special education pupils reach the age of 18, they are to be informed of their rights that will transfer to them upon reaching the age of 18. A statement of this nature shall be included in the individualized education program. (E.C. 56345 (a)(8))

## **STUDENT RECORDS**

**DIRECTORY INFORMATION** - The District has designated each student’s name, address, telephone listing, date and place of birth, major field of study, the record of participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards and degrees received, and the most recent previous school attended by the student, as directory information pertaining to any student, and this information may be released by the school without parental or guardian consent unless the parent or guardian files a written request with the school within ten days of publication of this notice that any or all of the information designated shall not be released without parent’s or guardian’s prior consent. (E.C. 49061; E.C. 49073 and Public Law 93-380)

**FAMILY RIGHT TO PRIVACY ACT** - In accordance with state laws, records will be forwarded to any school requesting them due to enrollment of the student. Either a parent or guardian or a student who has reached the age of 18 may have access to all written records maintained by the school. Such records include records of attendance, grades, scholastic honors and achievement, test records, health records as well as miscellaneous anecdotal material and all other information maintained in the cumulative record of the student.

It is the policy of the District that parents, guardians, or eligible students may examine such records upon request with reasonable notice. 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. Access shall be granted no later than five business days following the date of the request. The parent or guardian of a student may request the principal remove any information recorded in the written records concerning his/her child or ward which he/she alleges to be: inaccurate, an unsubstantiated personal conclusion or inference; a conclusion or inference outside of the observer’s area of competence; or not based on the personal observation of named person with the time and place of the observation noted. If the principal denies such request, the parent or guardian of a student may file a written request with the Superintendent of the District to remove any such information. If the Superintendent denies the request and refuses to order the removal of the information, the parent

or guardian may, within 30 days of the refusal, appeal the decision in writing to the Board of Trustees. The decision of the Board of Trustees will be final. The parent or guardian shall have the right to submit a written statement of his/her objections to the information. This statement shall become a part of the student's school record until such time as the information objected to is removed. (Family Education Rights and Privacy Act of 1974, E.C. 49063, 49609)

The parent or guardian of a student has the right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorized disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interest. 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). 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.

You may contact Mr. Tom Loomis, Director of Student Services at (760) 244-4411, ext. 7233, if you have questions or need assistance with these policies. Parents or guardian have the right to file a complaint with the U.S. Department of Education concerning alleged failures to the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

**SUSPENSION AND EXPULSION RECORDS** - A school district to which a pupil is transferring to shall request, from the district of last enrollment, any records of acts committed that resulted in suspension or expulsion. Upon receipt of this information, the district shall inform the pupil's teacher(s) of the suspension(s) or expulsion(s) including the acts committed. (AB 29)

### **UNIFORM COMPLAINT PROCEDURES**

The Governing Board of the Hesperia Unified School District recognizes that they have primary responsibility for ensuring compliance with state and federal laws and regulations governing educational programs. The Hesperia Unified School District does not discriminate on the basis of actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity that receives or benefits from state financial assistance. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, child care and development programs, child nutrition programs, special education programs, and federal school safety planning requirements. Please note: the CDE has interpreted the school safety plan complaint filing requirement to include only complaints as to the development and adoption of the safety plan. In compliance with regulations required by Title IX of the Educational Amendments of 1972 and Department Regulations and the Civil Rights Act of 1964, we would like to make you aware of your right to complain about a violation in any of these areas, and the District representative to contact. (Uniform Complaint Procedures 5CCR and 4622).

The following procedures should be followed if you feel you or your child have been discriminated against or your civil rights have been violated in curriculum, co-curricular activities or services, facilities, or school policies:

1. Notify the site administrator, either verbally or in writing, of the complaint. The site administrator will investigate the complaint and make every attempt to resolve the concern at the appropriate level. The Site Administrator will notify the Director of Student Services, the Assistant Superintendent of Personnel Services or the Director of Special Services if they observe or receive a report of behavior or circumstances that may constitute discrimination. Complaint forms may be obtained from the office of the Director of Student Services, free of charge.

The following are the Hesperia Unified School District Complaint Officers/Title IX Coordinators and their respective areas of responsibility:

Student and Parent Concerns - Director of Curriculum and Student Services, at 244-4411, ext. 7233.

Hesperia Unified School District's Hiring Process – Assistant Superintendent of Personnel Services at 244-4411, ext. 7295.

Section 504 of the Rehabilitation Act of 1973 - Director of Special Services, at 244-4411, ext. 7209.

The complaint shall be presented to the appropriate compliance officer/investigator, who then (within three working days may assign it to himself or give it to the appropriate investigator. The appropriate compliance officer will maintain a log of uniform complaints received, provided each with a code number and a date stamp. Complaints will be considered received, and the sixty (60) day timeline initiated when they are logged in the office of the compliance officer who initially issued the uniform complaint form. Complaints will be logged during normal business hours.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or a disability, district staff shall help him/her to file the complaint (Title 5, Section 4600). The district will provide language interpretation for any complainant whenever feasible. If it is not feasible to provide a language interpreter, the district will arrange a meeting at which a community member will interpret for the complainant.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individual has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination (Title 5, Section 4630). If the complainant does not return the completed form within six (6) months of issuance, the District will consider the complaint form null and void, and the complaint closed. This code provides for extensions in certain limited circumstances (Section 4639(b)).

The compliance officer shall be notified upon receipt of a written complaint pertaining to programs covered by these procedures. He/she will:

- a. Maintain a log of complaints received, providing each with a code number and a date stamp.
- b. Coordinate an investigative meeting after receiving the complaint, to allow you and/or your representative to repeat the complaint orally. The District representative(s) will also have an opportunity to present information relevant to the complaint.
- c. Prepare, and, within sixty calendar days of receiving the complaint, send you a written report of the District's investigation and decision unless the complainant agrees in writing to an extension of the sixty (60) calendar day timeline.

2. & 3. If you are not satisfied with the District's decision, you may:

- a. Appeal in writing to the California Department of Education within fifteen days of receiving the District's decision. Any appeal to the California Department of Education must include a copy of the locally filed complaint and a copy of the Hesperia Unified School District's decision.
- b. Obtain low cost legal services from the following agencies:

Inland Counties Legal Services  
14196 Amargosa Road  
Victorville, CA 92392  
Telephone: (760) 241-7073

Protection/Advocacy, Incorporated  
3580 Wilshire Blvd. Suite 902  
Los Angeles, CA 90010  
Telephone: (800) 776-5746  
(213) 427-8747

- c. Seek civil law remedies outside of the District's complaint procedures. Such remedies may include, but are not limited to, injunctions, restraining orders, or other remedies or orders. Civil law remedies will be available to complainants no sooner than 60 days after filing an appeal with the California Department of Education. The moratorium does not apply to injunctive relief and is applicable only if the District has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5CCR4622. (E.C. 262.3)

These procedures shall **not** apply to the following types of complaints:

1. Allegations of child abuse.
2. Health and safety complaints related to a child development program.

3. Employment discrimination.
4. Allegations of fraud.

If you have any further questions regarding these procedures, please call the Director of Student Services at 244-4411, ext. 7233.

## **MISCELLANEOUS**

**DISCRIMINATION** - The Hesperia Unified School District does not discriminate on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, equal rights and opportunities in the educational institutions of the state. (E.C. 200) The District will notify parents in their native language if the service area contains a community of minority persons with limited English language skills. The District will take steps to assure that the lack of English will not be a barrier to admission and participation in District programs. (Title VI, Civil Rights Act of 1964 & Title IX, Educational Amendment Act of 1972, E.C. 51101.1)

**FINGERPRINTING** - Fingerprinting of students is not required. Parents and/or guardians will be notified if the District offers fingerprinting. (E.C. 32390)

**INTERNET ACCESS/ON-LINE SITES** -The Governing Board recognizes that technology provides ways to access the most current and extensive sources of information. Technology also enables students to practice skills and to develop reasoning and problem-solving abilities. In addition, electronic resources foster workplace skills that may be transferable to new technologies. Every effort shall be made to provide equal access to technology throughout the district's schools and classes.

To discourage access to adult content on on-line electronic services and preclude other misuses of the system, the Superintendent or designee shall establish age/grade-level qualifications and shall ensure that student's receive training in user obligations and responsibilities.

Before using on-line services, the student and parent/guardian shall sign the district's user contract indicating that the student understands and agrees to abide by specified user obligations and responsibilities.

Staff shall supervise students while using on-line services and may ask instructional aides, parent volunteers and TA's to assist in this supervision.

The Superintendent or designee shall establish administrative regulations governing use of the district's on-line services. He/she shall ensure that users have no expectation of privacy and understand that district staff may monitor or examine all system activities to ensure proper use. Students who fail to abide by these regulations shall be subject to disciplinary action, revocation of the use account, and legal action as appropriate. (E.C. 48980(h) and A.R. 4148(a))

**SCHOOL ACCOUNTABILITY REPORT CARD (SARC)** - Annually the District shall publish a SARC for each school, outlining pertinent information and progress for the preceding school year. A copy of the SARC is available upon request at your child's school, and the Internet. (E.C. 33126, 35256, 35258)

**SEXUAL HARASSMENT POLICY** - It is the intent of the Hesperia Unified School District to provide an educational environment for all students which is free of sexual harassment which may cause embarrassment, feelings of powerlessness, loss of self-confidence, reduced ability to perform school work, and increased absenteeism or tardiness.

The Board of Trustees of the Hesperia Unified School District shall not tolerate the sexual harassment of any student. Any student who is found guilty of sexual harassment shall be subject to disciplinary action as dictated by the California Education Code and applicable policies and administrative regulations of the Hesperia Unified School District.

To promote an environment free of sexual harassment, the principal or designee shall take appropriate action such as removing vulgar or offending graffiti, establishing site rules, and providing staff in-service and/or student instruction and counseling. This policy and administrative regulation will be communicated to students in age-appropriate ways and students shall be assured that they need not endure any form of sexual harassment.

By law, this administrative regulation shall not apply to pupils enrolled in kindergarten and Grades 1 to 3, inclusive. However, any student within the Hesperia Unified School District may be considered a victim of sexual harassment as defined in Board Policy 5145.8 and Administrative Regulation 5145.8.

The conduct enumerated below must be considered by a reasonable person of the same gender as the alleged victim to be sufficiently severe or pervasive as to have a negative impact upon the student's academic performance or to create an intimidating, hostile, or offensive educational environment. Pursuant to California Education Code Section 212.5, sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature shall constitute sexual harassment when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to, or rejection of, the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile or offensive educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through the school.

Conduct which is prohibited in the District and which may constitute sexual harassment include:

1. Sexual flirtations or propositions.
2. Verbal abuse of a sexual nature.
3. Graphic verbal comments about an individual's body.
4. Sexually degrading words used to describe an individual.
5. Display of sexually suggestive behavior, objects, pictures, or written material in the educational environment.
6. Any act of retaliation against an individual who reports a violation of the District's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

The Board of Trustees encourages students to immediately report incidences of sexual harassment to their teachers, counselors, vice principals, assistant principals, or any other appropriate staff member. Principals or designees shall promptly investigate each complaint of sexual harassment in a way that ensures the privacy of all parties concerned. In no case shall the student be required to resolve the complaint directly with the offending person. If the complainant is dissatisfied with the resolution of the situation, the principal or designee will give the complainant a copy of Board Policy 1312.5, Uniform Complaint Procedures, with an accompanying complaint form and instructions on how to proceed with the process.

Students who are found to have violated Board Policy 5145.8, Sexual Harassment, will be subject to the appropriate disciplinary action under California Education Code Sections 48900 and 48900.2, Suspension and Expulsion. (E.C. 212.5, 231.5 and 48900.2, 48980(g)).

**“MEGAN'S LAW,” SEX OFFENDER NOTIFICATION** - The Department of Justice is required to provide to a local law enforcement agency in each county a CD-ROM or other electronic medium containing information regarding specified registered sex offenders and those local law enforcement agencies, in turn, are required to make the CD-ROM or other electronic medium available for public viewing. Parents and guardians should exercise extreme caution in allowing their children to travel between home and school without adult supervision and should familiarize themselves with individuals in the neighborhood who may pose a threat to school age children. Parents and guardians are also encouraged to utilize the information in the CD-ROM or other electronic medium provided through our **local law enforcement agencies** to protect themselves and their children from registered sex offenders in their neighborhoods. (Assembly Concurrent Resolution No. 72) (Penal Code 290.45, 290.46)

Hesperia Unified School District is committed to working collaboratively with law enforcement officials in the proper identification and notification of sex offenders. The School Police Chief has been designated as the district liaison responsible for working with the San Bernardino County Sheriff's Department and school district officials.

The Board of Trustees recognizes that the San Bernardino County Sheriff's Department is the agency best able to identify and assess the relative danger of any alleged child molester. If you have any concerns about any individual being a child molester, please contact the San Bernardino County Sheriff's Department at 947-1500, the Hesperia Unified School District Police Department at 947-2409, or your child's school.

**REPORT OF MISSING CHILDREN** - School teachers, administrators, aides, playground workers and bus drivers are required to report missing children to a law enforcement agency in a timely manner. (E.C. 49370)

**SCHOOL SAFETY PLAN** - Each school shall report on the status of its school safety plan, including a description of its key elements in the annual School Accountability Report Card (SARC). (E.C. 32286(b))

**SCHOOL BUS PASSENGER SAFETY** - Upon registration, parents or guardians of pupils not previously transported in a school bus, shall receive written information on school bus safety. This applies to pre-kindergarten, kindergarten and grades 1 to 6. (E.C. 39831.5)

**PESTICIDE PRODUCTS** - School districts shall annually notify staff and parents of all pesticide products expected to be used at the school site during the school year. The notice shall identify the active ingredient(s) in each product and contain the internet access address on information about pesticides. (E.C. 17612 and 48980.3)

**\*\*Important - Please remember to complete and return the “Certification of Receipt of Notification of Parent’s Rights” form. Thank you.**

**(Revised 07/08)**