



Santa Barbara Unified School District

720 Santa Barbara Street, Santa Barbara, CA 93101 Phone 805-963-4338, TDD 805-966-7734, Fax 805-963-3521
www.sbsdk12.org

ANNUAL NOTIFICATION TO PARENTS/GUARDIANS, 2011-2012

Dear Parent/Guardian:

The Santa Barbara Unified School District is required to annually notify parents and guardians of their rights and responsibilities in accordance with California Education Code Section 48980.

If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact your school principal. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Education Code 48982 requires parents or guardians to sign the notice and return it to school. Please complete the "Acknowledgement of Receipt and Review" form below, and return it to your student's school. A signature on this notice is an acknowledgement by parents or guardians that they have been informed of their rights.

Parent/Guardian: Please **DETACH THIS SECTION** and return it to your school. Thank you.

PARENT/GUARDIAN ACKNOWLEDGEMENT OF NOTIFICATION OF RIGHTS 2011-2012 SCHOOL YEAR

Student's Name: _____ School: _____ Grade: _____
(Please Print Name)

I hereby acknowledge receiving and reading the information contained in this letter as required by Education Code 48982.

Signature of Parent/Guardian: _____ Date: _____

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ATTENDANCE

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located. **[Education Code 48200]**

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment or placement under the Welfare and Institutions Code; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; or a pupil residing in a state hospital located within the boundaries of the school district. **[Education Code 48204]**

Avoiding Absences, Written Excuse

The Santa Barbara Unified School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments so that a student misses none, or only a small portion of the school day. Children should not be sent to school when they are not feeling well. The district also asks that travel or other absences be avoided during the time school is in session. The more a student attends, the more a student will learn. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences. Following an absence, a student is required to bring a written excuse from home when returning to school. Absences without a written excuse are recorded as unexcused.

Education Code 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 country 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/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, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent 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 the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed 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."

School authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. **[Education Code 46010.1]**

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction. **[Education Code 46014]**

No pupil may have his or her grade reduced or lose academic credit for any absences excused under Education Code 48205, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. **[Education Code 48205 and 48980(j)]**

Tardiness

Children should be encouraged to be prompt as part of their training. They are expected to be at school on time. If a child is late, the child should bring an excuse from home to the school office. Frequent tardiness without a valid excuse is considered truancy under state law.

Truancy

A student is considered truant after three absences or three tardies of more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC 48205. *The text of EC 48205 is provided on page 3.* **[Education Code 48260, 48262 and 48263.6]**

ALTERNATIVE ATTENDANCE

Intradistrict Open Enrollment

Residents of the Santa Barbara Unified School District may apply to other schools within the District for their child to attend on a space available basis. Information on each school within the District is provided on the District website. Parents of high-school athletes should check on CIF sports eligibility rules before pursuing open enrollment. Transportation to any other school is the responsibility of the parent. **[Education Code 35160.5(b)]**

Application materials will be available by January 1 at school sites, the district office, and the district website (www.sbsd12.org). **APPLICATIONS MUST BE RECEIVED BY MARCH 1 AT THE DISTRICT OFFICE.**

Parents/Guardians interested in a transfer for their student to attend a school other than their school of residence for the 2012-2013 school year are strongly encouraged to contact the Student Support Services Office during the month of December for information: (805) 963-4331 x6276 or x6278.

Interdistrict Attendance

The parent or legal guardian of a pupil may seek release from their home district to attend a school in any other school district. The terms and conditions for release or acceptance are set by the home and accepting districts. **[Education Code 46600]**

Open Enrollment Act

Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may seek to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. Unless the school board waives the deadline, requests for transfers are to be submitted by January 1 of the prior school year. To apply, parents must directly contact the school district to which they seek to transfer their student. The Open Enrollment List can be found on the California Department of Education website at <http://www.cde.ca.gov/sp/eo/op/>. **[Education Code 48350 et seq.]**

CALENDAR

The Santa Barbara Unified School District is annually required to advise parents and guardians of all pupils attending a school of the schedule of minimum days and pupil-free staff development days. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school should notify parents and guardians of affected pupils as early as possible, but not later than one month prior to the scheduled day. **[Education Code 48980(c)]**

CHILD ABUSE AND NEGLECT

The staff of the Santa Barbara Unified School District is required by law to report cases of child abuse and neglect whenever staff have a reasonable suspicion. Staff may not investigate to confirm the suspicion. Both the staff name and the report itself are confidential and cannot be disclosed except to authorized agencies. **[Penal Code 11164]**

CIVILITY

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than \$500. **[Education Code 32210, Board Policy 1313]**

COMPLAINTS

The District has established Uniform Complaint Procedures to resolve alleged acts of discrimination on the basis of age, sex, sexual orientation, ethnic group identification, race, national origin, religion, color, or physical or mental disability, which apply to all state and federally funded programs. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs. A complaint must be filed no later than six months from the date the complainant first obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to the Santa Barbara Unified School District's Director of Human Resources, or the Associate Superintendent of Education who will coordinate an investigation and respond within 60 days of receipt of the written complaint, unless the complainant agrees in writing to extend the time line. A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district. If a district is found to have violated a State or Federal law and/or regulation, and the District does not take corrective action to comply, then various civil remedies may be available. Contact the following for additional information or assistance:

Director of Human Resources or
Associate Superintendent of Education
Santa Barbara Unified School District
720 Santa Barbara Street
Santa Barbara, CA 93101
(805) 963-4331

Williams Complaint Policy and procedures: Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or misassignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained

at the districts' website www.sbsdk12.org (Administrative Regulation 1312.4) or by contacting Student Services. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns. **[Education Code 35186]**

CONDUCT OF STUDENT

At the beginning of the first semester or quarter of the regular school term, the school district shall notify the parent or guardian of a minor pupil regarding the availability of the rules of the district pertaining to student discipline. **[Education Code 35291]**

Pupils shall conform to school regulations, obey all directions, be diligent in study and respectful to teachers and others in authority, and refrain from the use of profane and vulgar language. **[Title 5 California Code of Regulations 300]**

Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess. **[Education Code 44807]**

The parents and guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed in advance about school rules, including disciplinary rules and procedures in accordance with Education Code 48980, attendance policies, dress codes, and procedures for visiting the school. **[Education Code 51100]**

Teachers may require the parent or guardian of a student who has been suspended by a teacher to attend a portion of that school day in his or her student's classroom. The attendance of the parent or guardian will be limited to the class from which the student was suspended. A written notice will be sent to the parent or guardian regarding implementation of this requirement. Employers are not allowed to apply sanctions against the parent or guardian for this requirement if the parent or guardian has given reasonable notice to his/her employer. **[Education Code 48900.1]**

It is a crime for any student to possess a laser pointer on any elementary or secondary school premise, unless the possession is for a valid instructional or other school-related purpose. **[Penal Code 417.27]**

By policy or practice the Santa Barbara Unified School District may regulate the rights of pupils to possess or use electronic signaling devices, including cell phones and the use of which is limited to the pupil's health. No student may be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician to be essential for the health of the pupil. **[Education Code 48901.5]**

A BB gun can be considered an imitation firearm. The Penal Code makes it a criminal offense to bring, openly display or expose any imitation firearm in a school. **[Penal Code 12550, 12556]**

Parents or guardians will be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the pupil until restitution is paid. **[Education Code 48904]**

Schools shall immediately suspend and recommend expulsion for students that commit any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault.
5. Possession of an explosive.

The school board shall order the student expelled upon findings that the student committed the act. **[Education Code 48915]**

With Board approval a school can adopt a dress code policy that requires pupils to wear a school-wide uniform or prohibits pupils from wearing gang-related apparel. **[Education Code 35183]**

Students are not permitted to visit other schools during the school day without the permission of school administrators.

COUNSELING

Commencing grade 7, school personnel shall assist pupils with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions. **[Education Code 221.5(d)]**

The Districts are required to include a one-page written notice to parents or guardians of students in grades 9 through 12 that includes all of the following:

1. A brief explanation of the college admission requirements.
2. A list of the current University of California (UC) and California State University (CSU) web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU.

3. A brief description of what career technical education is, as defined by the CDE.
4. The internet address for the portion of the web site of the CDE where students can learn more about career technical education.
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements enroll in career technical education courses. **[Education Code 51229]**

CUSTODY ISSUES

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to their child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

ENROLLMENT

Parents/Guardians are required to complete an enrollment packet in order to enroll their students at a district school. The enrollment packet includes completion of the following: Enrollment Form, Immunization Record, Proof of Residency, Health Card, Home Language Survey, Ethnicity Survey, Acceptable Use of Computer/Internet, E-mail, and Cell Phone Technology, and College/Military Recruiters Release of Information-high school students only.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. **[Education Code 48207]**

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to Education Code 48206.3 and, if so, provide the instruction within five working days or less. **[Education Code 48208]**

FACILITIES

The Santa Barbara Unified School District maintain and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact the Director of Facilities and Operations at (805) 963-4338, ext 6238.

All school districts and county offices of education that receive Tobacco Use Prevention (TUPE) funding to adopt and enforce a tobacco-free campus policy. Information about the policy and enforcement procedures must be communicated clearly to school personnel, parents, pupils and the larger community. Signs stating "Tobacco use is prohibited" must be prominently displayed at all entrances to school property. Information about smoking cessation support programs must be made available and encouraged for pupils and staff. **[California Health & Safety Code 104420, 104495]**

California Health & Safety Code 104495 further prohibits smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground. The prohibition does not apply to a public sidewalk located within 25 feet of a playground.

The parents and guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed in advance about school rules, including procedures for visiting the school. When visiting a school all visitors including parents must check-in at the school office. **[Education Code 51101(a)(12)]**

The school districts are required to post at every entrance to each school a notice setting forth the visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. **[Penal Code 627.6]**

All schools must annually provide to all staff and to parents or guardians of pupils enrolled at the school written notification of all pesticide products expected to be applied during the upcoming year. Notification to identify the active ingredient(s) in each pesticide product, an internet address on pesticide use and reduction developed under §13184 of the Food and Agricultural Code, and provide an opportunity for staff and parents or guardians to register with the school is they wish to receive notification of individual pesticide applications at the school. To obtain a copy of all pesticide products and expected use at the school facility during the year, please contact your school's office. The notice will identify the active ingredient(s) in each pesticide product and an internet address on pesticide use and reduction. **[Education Code 17612]**

School lockers remain the property of the Santa Barbara Unified School District even when assigned to students. The lockers are subject to search whenever the District finds a need to do so. The use of the school locker for other than school-related purposes is prohibited. Improper use of school lockers may result in disciplinary action.

FOSTER/HOMELESS YOUTH

The school district's educational liaison is required to ensure pupils in foster care receive stable school placements which are in the best interests of the child, placement in least restrictive educational programs, access to academic resources, services, and extracurricular and enrichment activities available to all pupils, full and partial credits for coursework taken, and meaningful opportunity to meet state pupil academic achievement standards. The Santa Barbara Unified School District's Foster/Homeless Youth Educational Liaison is Marlin Sumpter, Director of Student Services (805) 963-4331 x6258. **[Education Code 48850]**

The school district's homeless liaison is required to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children. Notification may address circumstances for eligibility (e.g., living in a shelter, in a motel, hotel, or weekly rate housing, in a house or apartment with more than one family because of economic hardship or loss, in an abandoned building, in a car, at a campground, or on the street, in temporary foster care or with an adult who is not your parent or guardian, in substandard housing, or with friends or family because you are a runaway or unaccompanied youth); right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers; right to education and other services (e.g., to participate fully in all school activities and programs for which child is eligible, to qualify automatically for nutrition programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment). Notice of educational rights of homeless children to be disseminated at places where children receive services, such as schools, shelters, and soup kitchens. **[42 United States Code 11432]**

HEALTH RELATED

All school Health Offices are staffed by Health Assistants who are trained to render basic first aid, CPR and maintain health and immunization records. They also will contact a parent/guardian when students need to be sent home due to illness or injury. **We do not have the facilities or staff to keep sick children at school.** If your child has a particular health condition which requires accommodations please contact the Health Assistant at your child's school. The District Nurse will review the information, make any assessments and inform the appropriate school staff.

Emergencies

In case of a serious injury or other health situation, 911 will be called. We will make every attempt to contact a parent/guardian immediately. **PLEASE MAKE SURE YOU PROVIDE THE SCHOOL WITH UP-TO-DATE TELEPHONE NUMBERS WHERE YOU OR OTHER DESIGNATED ADULTS CAN BE REACHED IN AN EMERGENCY.**

Health Screenings

A parent or guardian may file annually with the principal of the school in which their child is enrolled a written statement, signed by the parent or guardian, withholding consent to a physical examination of the child. However, whenever there is a good reason to believe that the student is suffering from a recognized contagious or infectious disease, the student shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists. **[Education Code 49451]**

Note: Physical examinations of students that schools are required to conduct include sight and hearing testing under Education Code 49452 and scoliosis screening under Education Code 49452.5. Schools may screen for type 2 diabetes mellitus under Education Code 49452.6.

State law requires that the parent or legal guardian of each pupil provide the school documentary proof that the pupil has received a health screening examination by a doctor up to 18 months before entry into first grade or up to 90 days after entrance to first grade. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available through the local health department. **[California Health and Safety Code 124085]**

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31st of the pupil's first school year. **[Education Code 49452.8]**

Schools are required to notify parents of pupils, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening is scheduled or is expected to be scheduled that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and is not necessary to protect the immediate health and safety of the pupil or other pupils. Notification must include an offer to parents an opportunity to opt pupils out of participation in the activity. **[20 United States Code 1232h]**

School authorities may excuse any pupil in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. **[Education Code 46010.1]**

Immunizations

Unless a pupil's parent or guardian provides the school with an acceptable signed waiver, a pupil must be immunized against certain communicable diseases. Students are prohibited from attending school until the immunization requirements are met. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing. **[Education Code 49403]**

State law requires the following immunizations before a child may attend school:

- (a) All new students to the Santa Barbara Unified School District must provide proof of polio, diphtheria, whooping cough, tetanus, measles, mumps, and rubella immunizations. All kindergarten and first grade students new to the district must also provide proof of vaccination against hepatitis B.
- (b) All kindergarten students must also provide proof of vaccination against chicken pox.
- (c) All seventh grade students must also provide proof of a second measles, mumps, and rubella vaccination.
- (d) A tuberculosis skin test (Mantoux) is required for all students entering the district from outside the United States.
- (e) For the 2011-2012 school year only, all students entering 7th through 12th grades will need proof of a Tdap booster before starting school. Beginning July 1, 2012, and beyond, all students entering the 7th grade will need proof of a Tdap booster before starting school.

Free- or low-cost immunizations for children are available at the Santa Barbara Public Health Department. Please call 568-2099 for information.

The Santa Barbara Unified School District is required to exclude any pupil not properly immunized and to notify the parent or guardian that they have two weeks to supply evidence that the pupil has been properly immunized or that the pupil is exempt from the immunization requirements as specified in California Health & Safety Code 120365 or 120370. Notification will also refer the parent or guardian to usual sources of medical care to obtain the immunization(s). **[Education Code 48216, Health & Safety Code 120365 and 120370]**

Information about a permanent medical exemption or personal beliefs exemption from immunizations for your student is available at your child's school office. **[Education Code 48216, Health & Safety Code 120365 and 120370]**

Medication Regimen

The parent or legal guardian of any pupil taking medication on a regular basis must inform the school nurse, health clerk or office staff of the medication being taken, the current dosage, and the name of the supervising physician via completion of the Medication at School form. With the consent of the parent or legal guardian, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil. **[Education Code 49480]**

Any pupil who is required to take, during the regular schoolday, medication prescribed 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-injectible epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which medication is to be taken. **[Education Code 49423 and 49423.1]**

The Santa Barbara Unified School District encourages pupils and parents or guardians to take actions necessary to avoid potential injury to pupils caused by heavy backpacks. **[Assembly Concurrent Resolution 10 Health: Heavy Backpacks. Added by ACR 10, Ch. 105, Statutes of 2003]**

Medical or Hospital Service

The school district may provide, or make available, medical or hospital service, or both, for injuries to pupils of the district arising out of accidents related to school activity or attendance. Pupils are not required to accept such service without the consent of his or her parent or guardian. **[Education Code 49472]**

Pupils may use sunscreen during the school day without a physician's note or prescription. The Santa Barbara Unified School District has adopted a policy regarding the type of sun-protective clothing, including but not limited to hats that pupils may wear for outdoor use during the school day. **[Education Code 35183.5]**

Excuses from Physical Education (PE)

The Health Assistant may not excuse any student from PE; a note from an attending doctor or parent is the appropriate way to be excused.

INSTRUCTIONAL PROGRAMS

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or misassignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the school. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns. **[Education Code 35186]**

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question. **[Education Code 32255 et seq.]**

Each school is required to compile annually a prospectus of the curriculum including titles, descriptions and instructional goals of every course offered by the school. Prospectus to be reproduced and made available, upon request by parent or guardian, for inspection and are available at each school. **[Education Code 49063 and 49091.14]**

Eligible high school students may receive financial assistance to cover the costs of the advanced placement examination fees or the International Baccalaureate examination fees, or both. Please contact your high school counseling office for information. **[Education Code 52244]**

A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day. Please contact your school office for information. **[Education Code 48206.3]**

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less. **[Education Code 48207 and 48208]**

The purpose of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act (Education Code 51930 through 51939) is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

The Santa Barbara Unified School District will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. Request a copy of Education Code 51930 through 51939
4. Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants
5. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
 - a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker

English Immersion Program

In order to facilitate parental choice of program, all parents and guardians must be informed of the placement of their children in a structured English immersion program and must be notified of an opportunity to apply for a parental exception waiver. Notice to include a description of the locally-adopted procedures for requesting a parental exception waiver, and any locally-adopted guidelines for evaluating a parental waiver request. **[Education Code 310, 5 California Code of Regulations 11309]**

GATE Program

The Santa Barbara Unified School District is required to develop a written plan for the GATE program which shall be available for public inspection. The plan includes the rationale for the district's method of identification of gifted and talented pupils; procedures for ensuring parent participation in recommending policy for planning, evaluating, and implementing GATE program, and procedure to inform parents of a pupil's participation or nonparticipation in the program. **[Title 5 California Code of Regulations 3831]**

Migrant Education Program

Since the Santa Barbara Unified School District may receive migrant education funds or services, the District is required to actively solicit parental involvement in planning, operation, and evaluation of its programs through establishment of parent advisory council. Migrant parents have sole authority to decide composition of council. **[Education Code 54444.2]**

Notice of Alternative Schools

California state law authorizes all school districts to provide for alternative schools. Education Code 58500 defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

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

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district." **[Education Code 58501]**

Work Experience Program

Work Experience Education is an elective class that combines paid employment with classroom instruction. Students attend their own job during the week, and also attend a class session once a week at school. Students must have teacher-approved, legal employment while enrolled in this elective. Course grade and credit earned is subject to completion of course requirements, class attendance, submission of required forms, maintenance of employment, and compliance with GPA and attendance requirements set forth in Administrative Regulation AR 5113.2. For more information about regulations related to work permits, please contact your high school Career Center.

MARKETING

The Santa Barbara Unified School District is required to notify parents of pupils, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when an activity involving the collection, disclosure, or use of personal information collected from pupils for the purpose of marketing or selling that information is scheduled or expected to be scheduled. Parents have an opportunity to opt pupils out of participation in the activity. **[20 United States Code 1232h]**

NO CHILD LEFT BEHIND – TITLE I

The Santa Barbara Unified School District is required, at the beginning of the school year, to notify parents or guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher(s). Notification to be in an understandable and uniform format, and to the extent practicable, provided in a language that the parents can understand. Further requires timely notification whenever a child has been assigned, or has been taught for four or more consecutive weeks, by a teacher of a core academic subject who does not meet the No Child Left Behind Act teacher qualification requirements. **[20 United States Code 6311, 34 Code of Federal Regulations 200.61]**

Schools identified for program improvement under the No Child Left Behind Act to promptly notify parents or guardians of students enrolled at the school of the following: (1) An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state, (2) The reasons for the identification, (3) An explanation of what the school is doing to address the problem of low achievement, (4) An explanation of what the district or state is doing to help the school address the achievement problem, (5) An explanation of how parents or guardians can become involved in addressing the academic issues that caused the school to be identified for program improvement, (6) An explanation of the option to transfer to another district school or charter school or to obtain supplemental educational services. **[20 United States Code 6316]**

Schools required to provide supplemental educational services must annually notify parents/guardians of: (1) The availability of supplemental educational services, (2) The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies, (3) The identity of approved providers that are accessible through technology, such as distance learning, (4) The services, qualifications and demonstrated effectiveness of each provider, (5) The procedures and timelines that parents/guardians must follow to select a provider. **[20 United States Code 6316]**

NONDISCRIMINATION

State and federal law prohibit discrimination in education programs and activities. Education Code § 200 *et seq.* requires school districts to afford all pupils regardless of gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, mental or physical disability, sexual orientation, or the perception of one or more of such characteristics, equal rights and opportunities in education. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin. Title IX prohibits discrimination on the basis of sex. The Americans with Disabilities Act and Section 504 of the Vocational Rehabilitation Act of 1973 prohibit discrimination on the basis of disability. The school district and the California Department of Education may investigate complaints regarding discrimination through the Uniform Complaint Procedure. The Office for Civil Rights of the U.S. Department of Education has authority to enforce federal laws in all programs and activities that receive federal funds.

The School District is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation, or the perception of one or more of such characteristics. The District assures that lack of English language skills will not be a barrier to admission or participation in District programs. Complaints of discrimination are investigated through the Uniform Complaint Process. Such complaints must be filed no later than six months knowledge of the alleged discrimination was first obtained. For a complaint form or additional information, contact: Director of Human Resources or Associate Superintendent of Education at (805) 963-4331.

NUTRITION

Free or reduced-price lunches are available at school for pupils whose parents or legal guardians qualify, based on annual household income, and complete the required application form. Applications forms may be obtained from your school secretary, the district office, or downloaded from the district website: www.sbsd12.org. **[Education Code 49520]**

It is the goal of the SBUSD Nutrition Services Department to ensure that all students are receiving proper nutrition each school day. Breakfast and lunch are prepared and made available to all students daily in each school's cafeteria under one of three plans: the

full-price plan, the reduced-price plan, or the free meal plan. The full-price plan signifies that the student is required to purchase meals and other nutritional menu items at the full cafeteria menu price.

Before the beginning of each school year, all parents will receive, and are responsible for completing, an application for the National School Lunch Program if they believe they might be eligible. Unless an application for the National School Lunch Program is received by Nutrition Services, students will be expected to pay for their meals under the full-price plan. Parents must submit these applications as quickly as possible so that eligibility status can be activated promptly.

If a parent has not submitted an application and their child is without the funds necessary to purchase food in the cafeteria, the cafeteria manager will allow that student to obtain three meals without payment. The cafeteria manager will, however, enter the cost of these "grace-period" meals into the student's account record as money the student owes to the school cafeteria.

After two of the grace-period meals have been served, and the student is still without the money to pay for meals, the Cafeteria Manager will contact Nutrition Services. Nutrition Services will then contact the student's parent to: inform them of the situation in the cafeteria; inform them of the availability of the National School Lunch Program; and, provide assistance to the parent in completing their application, if necessary.

Except for the three grace period meals just noted, the cafeteria will generally not provide meals to students who do not have the funds to pay or do not have funds in their account.

PHOTOGRAPHY AND/OR FILMING OF STUDENTS

There are many activities and accomplishments that take place in our schools which the Santa Barbara Unified School District feel are positive, newsworthy and of interest to the community. District representatives will, from time to time, use still photography or videography for the purpose of highlighting student achievements or chronicling classroom/school activities. Those images may be used in informational newsletters, school brochures and other printed material published by the Santa Barbara Unified School District. It is possible that those images might be used on school and/or District Web sites. They may also be submitted to the news media for possible publication.

If, for any reason, you do not want your child's likeness to be used by the Santa Barbara Unified School District or by the news media for the purpose of positive publicity about school activities or student achievement, please notify your school office immediately.

Parents/guardians should be aware that there are times when members of the news media are on our campuses covering a variety of education-related stories. Legally, children are entitled to communicate with the media. However, any child has the right to refuse to be interviewed by news media representatives. Thus, if you feel that communication with news media representatives is not in your child's best interest, you are encouraged to instruct your child of your wishes.

SAFETY

Each Santa Barbara Unified School District school site has a School Safety Plan, which includes a comprehensive disaster preparedness plan. Copies are available to read at each school office.

A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends or attends a school designated by the California Department of Education as "persistently dangerous", has the right to transfer to another school within the district. The District has 14 calendar days to offer students the option to transfer. For more information, please contact your school principal or Marlin Sumpter, Director of Student Services. **[20 USC 7912a]**

Megan's Law

Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

School Bus Safety

All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (*i.e.*, a list of schoolbus stops near each pupil's home, general rules of conduct at schoolbus loading zones, red light crossing instructions, schoolbus danger zone, and walking to and from schoolbus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit. **[Education Code 39831.5]**

Sexual Harassment

The Santa Barbara Unified School District is committed to maintaining a learning and working environment that is free from sexual harassment. Any student who engages in sexual harassment of anyone in or from the district may be subject to disciplinary action to and including expulsion. Any employee who permits, engages in, or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. For a copy of the district's sexual harassment policy or to report incidences of sexual harassment, please contact the school principal or Marlin Sumpter, Director of Student Services (805) 963-4331 x6258. **[Education Code 48980(g)]**

SCHOOL ACCOUNTABILITY REPORT CARD

School districts are required to develop, for each school, a school accountability report card. Content of report card defined under Education Code 33126 to include revised estimated expenditures per pupil and types of services funded, e.g., personnel salaries; schools identified by governing board as having insufficient textbooks or instructional materials including percentage of pupils lacking sufficient standards-aligned textbooks or instructional materials by subject area; and career technical education data measures, as specified. Content further defined under Education Code 32286 (school safety plan) and 52056 (Academic Performance Index). School Accountability Report Cards for each of our schools are available at the districts' website www.sbsdk12.org. **[Education Code 35256, 35258]**

SCHOOL RULES

A complete set of school rules pertaining to students including grounds for suspension and expulsion is given to each student and reviewed during the first two week of school. If you have any questions about school rules, contact your school's administration office.

The Santa Barbara Unified School District may permit students enrolled at any high school depending on grade level to leave the school grounds during the lunch period. The school district and its officers or employees are not liable for the conduct or safety of any student who leaves school grounds during lunch period. Check with your high school for specific information. **[Education Code 44808.5]**

SPECIAL NEEDS STUDENTS

The Santa Barbra Unified School District recognize the need to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law. A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and used where appropriate. Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 regular school days. Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the initial evaluation. Upon completion of the administration of tests and other evaluation materials, an individualized education program (IEP) team meetings that includes the parent/guardian or his/her representative will be scheduled. At this meeting, the IEP team will determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the evaluation, the recommendations, and the reasons for the recommendations. The district must complete the determination as to whether the student is a student with a disability, conduct the initial evaluation to determine his/her educational needs, and develop an IEP within 60 days of receiving informed parent/guardian consent for the evaluation. For more information, please contact your school's principal or contact the Executive Director of Special Education at (805) 963-4338, ext.6246. **[Education Code 56301]**

The Santa Barbara Unified School District has designated the Director of Student Services to coordinate its efforts to comply with the requirements of law, Board policy, and administrative regulation pertaining to the implementation of Section 504: (34 CFR 104.7). Marlin Sumpter, Director of Student Services can be reached at (805) 963-4338, ext. 6258. Any student may be referred by a parent/guardian, teacher, other school employee, student success team, or community agency for consideration of eligibility as a disabled student under Section 504. This referral may be made to the principal or 504 Coordinator. Upon receipt of a referral for eligibility, the principal shall promptly convene a meeting of a multi-disciplinary 504 team to consider the referral and determine whether an evaluation of the student is appropriate. **[29 United States Code 794, 34 Code of Federal Regulations 104.32, 104.36]**

STUDENT RECORDS

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records. Parents/guardians have the right to 1) inspect and review the student's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access student records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, the District shall disclose educational records without parental consent.

Parents' request to access their student's educational records must be submitted in a written form to the school principal and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of student records are available to parents for a fee of 15 cents per page.

Any challenge to school records must be submitted in writing to the school's principal. A parent challenging school records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the student. Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605. **[Education Code 49063, 49069, Title 34 Code of Federal Regulations § 99.7, 20 United States Code 1232g]**

Access by Military Recruiters

Federal law requires the Santa Barbara Unified School District to provide military recruiters the same access to secondary school pupils as is provided generally to post secondary educational institutions or to prospective employers. Parents may request that the pupil's name, address, and telephone listing not be released without prior written parental consent, and the district shall notify parents of the option to make a request and shall comply with any request. **[20 United States Code 7908]**

Directory Information

The Family Educational Rights and Privacy Act (FERPA) and California Education Code 49073 permit the Santa Barbara Unified School District to disclose appropriately designated "directory information" without written consent, unless you have advised the District that you do not want your student's directory information disclosed without your prior permission. "Directory Information" includes one or more of the following items: student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the student. **[Education Code 49073]**

SURVEYS

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing. **[EDUCATION CODE 51513]**

TECHNOLOGY

One of the adopted goals of the Santa Barbara Unified School District is to assist in advancing the use of technology to enhance student learning. Access to Santa Barbara Unified School District technology is a privilege, not a right, and students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. All Santa Barbara Unified School District students and their parents/guardians shall sign the Acceptable Use of Computer/Internet, E-mail, and Cell Phone Technology Agreement prior to using District technological resources. The Santa Barbara Unified School District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability. **[Education Code 48980]**

TESTING

Each pupil completing grade 12 is required to successfully pass the California High School Exit Exam (CAHSEE) as a condition of graduation. Each pupil shall take the examination beginning in grade 10 and may take the examination each subsequent administration until he/she passes the examination. A pupil with an Individualized Educational Plan (IEP) or Section 504 Plan may take the CAHSEE with accommodations that do not fundamentally alter the nature of the test. For more information, visit: http://www.cde.ca.gov/ta/tg/hs/documents/cahseeqa08_003.doc. **[Education Code 60850]**

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

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>. **[5ccr 11523]**

The governing board of the Santa Barbara Unified School District is to report the aggregate results of its physical performance testing in the annual school accountability report card. **[Education Code 60800]**