

Parents Educational Rights Notifications

California Education Code section 48980 and 48982 require school districts to annually notify parents and guardians of parental rights. **Please sign and return the Health and Emergency Card to clear this requirement for Fall 2011 classes to verify that you have received and read this Notification and Guide.** In addition, School Board policies and Administrative Regulations can be found at the HBUHSD website and the complete California Education code is available at www.leginfo.ca.gov.

Parents or guardians are required to continually provide current emergency information to the school.

Such information includes home address, business/cell phone numbers, and the name, address and telephone number of a relative or friend authorized to care for the student in an emergency. The school will act in the absence of a parent to ensure appropriate medical treatment is provided even if the parent cannot be reached.

Any changes in emergency information must be reported immediately to the school of enrollment.

Students are to conform to school regulations, obey all directions, attend all classes, pursue the required course of study, and submit to the authority of the teachers and administrators of the school. Rules pertaining to student discipline, including those related to suspension or expulsion, are communicated to students each year and are available from the office of Supervision or the Principal's office at each of the schools.

Under the McKinney-Vento Homeless Education Assistance Act, children have the right to immediate enrollment in school (regardless if they have immunizations or school records) if new to the area or continued enrollment in their home school if they move out of the area due to the definition of being homeless. Students further may receive transportation and other services needed to remain in school. If disputes arise over school selection or enrollment, the student is admitted immediately until the dispute is resolved. For questions or assistance contact the District Liaison for McKinney-Vento at 714-893-1381 Ext. 4441.

School attendance is mandatory until age 18, graduation, or passing the CHSPE or the GED.

School Accountability Report Card (EC §§35256, 32286): The District Governing Board annually issues a School Accountability Report Card (SARC) for each school in the District. You may obtain a copy of the SARC from the Principal's office or at school websites. The SARC includes, but is not limited to, assessment of school conditions specified in California Education Code section 33126.

Free and reduced lunches can be obtained by filling out an application through the high school sites or online at <http://www.hbuhd.k12.ca.us/Food-Nutrition/default.htm>.

By mid-January, families will be advised regarding the intradistrict open enrollment transfer petition to another school within the district for the following school year. Space availability may limit/eliminate specific school options; priority placement school choice will be for district residents. In accordance with law, no student currently residing within a school's attendance boundaries shall be displaced by another student living outside the boundaries. Once a new school of choice is confirmed and the contract signed, the student is expected to attend the new school for at least one year.

Rights of Parents/Guardians (EC §49063 et seq.)

Types of Pupil Records: A pupil record is any item of information directly related to an identifiable pupil, other than directory information, which is maintained by the District or required to be maintained by a District employee in the performance of his/her duties, whether recorded by handwriting, print, tapes, film, microfilm, or other means. Pupil records include a pupil's health record.

Responsible Officials. The School Registrar is responsible for the maintenance of pupil records located at your child's school. For pupil records maintained at the District office, the responsible official is the Director of Pupil Personnel Services.

Location of Log/Record: The law requires that a log or record be maintained for each pupil's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate interests therefore. For records maintained at your child's school, the log is located in the Registrar's office.

School Officials and Employees/Legitimate Educational Interests: School officials and employees who are authorized to review pupil records are school officials with legitimate educational interests. A school official is a

person employed by the District as an administrator, supervisor, certificated employee, or support staff member (including, but not limited to, paraeducator, health or medical staff, and school law enforcement personnel); a person serving on the school board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, educational consultant or therapist); other public agencies providing services to pupils, as well as employees of other public schools or school systems where educational programs leading to high school graduation are provided or where a District pupil intends to or is directed to enroll. Access to pupil records is permitted only for records that are relevant to the legitimate educational interests of the requester. Upon request, the District discloses educational records without consent to officials of another school district in which the pupil seeks or intends to enroll. Legitimate educational interests are described in California Education Code section 49076 and in District Board Policy 5125.

Right of Access and Review/Expungement: You have an absolute right to access any and all pupil records related to your child, which are maintained by the District. If you wish to review records located at your child's school, please contact the Principal's office, or submit a written request that identifies the record(s) you wish to inspect. If you wish to review records located at the District office, please contact the Director of Pupil Personnel Services. The Principal or District office has five (5) business days from the day of the receipt of a request to provide access to the records. Upon satisfactory completion of the rehabilitation assignment of a pupil whose expulsion has been suspended by the District Governing Board, the Board may order the expungement of any or all records of the expulsion proceedings. If the Orange County Board of Education enters an order reversing the decision of the District Governing Board to expel a pupil, the County Board may direct the District Governing Board to expunge the record of the pupil and records of the District of any references to the expulsion action. When you submit a written revocation of consent after the initial provision of special education and related services for your child, the District is not required to amend the education records of your child to remove any reference to your child's receipt of special education and services.

Challenging the Content of Records: You have the right to challenge the content of any pupil record by filing a written request with the District Superintendent to correct or remove any information recorded in the written records concerning your child which you allege to be any of the following: (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 pupil.

Copying Costs: You may receive copies of your child's pupil records, at a cost of 30 cents per page.

Statement or Response to Disciplinary Actions: Whenever information is included in a pupil record concerning any disciplinary action taken in connection with your child, you have the right to include a written statement or response concerning the disciplinary action in your child's pupil record.

The District Makes Directory Information Available In Accordance With State And Federal Laws

The *Family Educational Rights and Privacy Act* (FERPA), requires that school districts, with certain exceptions, obtain written parental consent prior to the disclosure of personally identifiable information from their student's records. However, districts may disclose appropriately designated "directory information" without written consent, unless the parent has advised the District to the contrary in writing. "Directory information" includes your student's name, birthdate, birthplace, address, ethnicity, participation in school activities, dates of attendance, campus, regional, state and/or national honors and awards (including school GPA, honor role and/or commencement recognition), and height and weight of athletes.

The primary purpose of directory information is to allow the District to include certain information in school publications. Examples include a playbill for a drama production, the annual yearbook, honor roll or other academic recognition lists, graduation programs, and sports activity sheets or rosters listing height and weight of team members. Directory information, which is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks and newspapers when/if they request lists of graduating student names.

In addition, federal law requires school districts to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents have advised the district that they do not want their student's information disclosed without their prior written consent. These statutory requirements are contained in Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the *No Child Left Behind Act of 2001*, and the *National Defense Authorization Act for Fiscal Year 2002* the legislation that provides funding for the Nation's armed forces.

Parents have the right to "opt out", or have student directory information withheld from release to agencies outside the educational systems. The directory information "opt out" process and form will be included annually in the

registration packet and on the district website (www.hbuhsd.org). Requests to “opt out” or withhold the release of directory information must be returned to the HBUHSD Office of Pupil Personnel Services by September 30, 2011. Previous requests to "opt-out" will remain in effect unless changed by written notification from the parent or guardian.

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires the HBUHSD to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. The activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

When survey activities are scheduled, the HBUHSD will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities. Parents are welcome to preview the surveys and have their child opt-out of any surveys.

The HBUHSD is known for its outstanding programs and on occasion several forms of media, including pictures and video of students at our school activities, may appear in newspapers or on websites spotlighting these events. Should you not want pictures of your child to appear in the local media, please notify the school administration by filling out a media release statement and by further communicating this to your child. More detailed information regarding the technology use policy can be found at the www.hbuhsd.org website under General Information.

- Upon receipt of a written prescription from a physician stating that a student may not attend school for eight weeks or more, the school nurse will arrange for a meeting to evaluate the appropriateness of home instruction.
- Special education programs and services are available for students with exceptional needs in compliance with state regulations. Parents have the right to initiate a referral for assessment to identify students (ages 0-21 years) who may need assessment for special education services or accommodations under Section 504 of the Rehabilitation Act of 1973. Parents will receive written information about any testing prior to placement to determine eligibility, whenever a change in program is proposed, and during the IEP process.
- Short term individual and group counseling may be available to address student’s social and emotional concerns. For further information, contact the school’s School Counselor, Student Support Specialist or School Psychologist.
- Pupils hospitalized with a temporary disability become residents of the school district in which the hospital is located; parents are responsible to notify the responsible district having the qualifying hospital and individualized instruction will be provided.
- The HBUHSD participates in Medi-Cal, the California public program (funded through federal Medicaid) that pays for health services for low-income residents. Reimbursements from Medi-Cal help support the health and medical services each school offers for the students served. The two programs fiscally tied to this service are Medi-Cal Administrative Activities (MAA) and Local Educational Agency (LEA) Medi-Cal billing. Through MAA, the HBUHSD bills for administrative activities that include medical outreach and through LEA, the HBUHSD bills for direct services that credentialed and licensed school practitioners, (nurses, psychologists, and speech and language pathologists) perform. If you have further questions about MAA or LEA billing contact the Director of Pupil Personnel Services at the HBUHSD. If you would like information on obtaining low-cost or no-cost health insurance, contact CHOC-Healthy Families at 714-289-4856.

Parents have the right to:

- Receive written notice and/or a teacher conference when student may fail a course (EC 49068)
- Be notified of their student’s performance on standardized tests
- Request that their student not participate in the statewide achievement tests (CAHSEE is required for a diploma)
- Contact the school psychologist for assessment if concerned that the student may have learning difficulties
- Request information about qualifications of their student’s teachers and paraprofessionals
- Request student placement in Alternative Education
- Participate in counseling sessions and decisions concerning career counseling and course selection

Parents of students enrolled at a school receiving Title I funds have the additional right to:

- Be notified if their child has been assigned to, or taught for four (4) or more consecutive weeks by, a teacher who is not highly qualified/NCLB compliant
- Be notified about Title I programs and the opportunity to attend meetings about those programs
- Receive notification of district and school parent involvement policies and, for those with children at a school that receives Title I funds, to participate in the development, review and/or revision of those policies

Registered Nurses employed by the district as School Nurses may provide approved, specified, non-prescriptive medications to students whose parents have given signed permission on the Emergency Medical Card for the nurse to do so. No medications are to be provided except through procedures established in consultation with a licensed physician. Following is the approved list of non-prescriptive medications: acetaminophen (analgesic tablets), ibuprofen (analgesic tablets), loratadine (antihistamine tablet), diphenhydramine (antihistamine tablet/cream), generic antibacterial ointment, generic oral decongestants (tablets), generic antacids (tablets), generic cough drops, generic throat lozenges/spray, generic hydrocortisone cream (0.5-1%), generic topical toothache analgesic, generic contact lens solution, generic swabs for insect stings, generic first aid ointment, saline solution, isopropyl alcohol, hydrogen peroxide.

The School Nurse may administer epinephrine 0.3mg (EpiPen Auto-injector) to a student who is experiencing a life-threatening anaphylactic allergic reaction while at school. The student must have parent permission on the emergency medical card. Epinephrine protocols are provided by the Orange County Department of Education and signed by a district physician.

In accordance with state and federal law, smoking of and using tobacco is prohibited in all school and district facilities. This prohibition applies to all employees, students, visitors and other persons at any activity or athletic event on property owned, leased, or rented by or from the district.

Campus Safety

The Huntington Beach Union High School District has a "zero tolerance" policy towards weapons, explosives, hazing, violent acts or threats of violence on our high school campuses. All violators will be dealt with decisively. Both District Policy and California Education Code provide for possible expulsion of any student who is in "possession of any firearm or facsimile, knife, explosive, or other dangerous object" (California Education Code sections 48915 and 48900) or who possesses a replica firearm (California Penal Code section 417.2). Additionally, disabling devices such as mace and pepper spray or any other toxic chemical which could injure another person are not allowed. Each high school has a School Safety Plan which is available at the principal's office.

Nondiscrimination Notice

The Huntington Beach Union High School District does not discriminate on the basis of age, ethnic group identification, religion, sex, gender, color, race, ancestry, national origin, sexual orientation, physical disability, or mental disability in any of its policies, procedures, or practices, in compliance with Title VI of the Civil Rights Act of 1964 (pertaining to race, color and national origin), Title IX of the Education Amendments of 1972 (pertaining to sex), Section 504 of the Rehabilitation Act of 1973 (pertaining to disability), and the Age Discrimination Act of 1975 (pertaining to age). This nondiscrimination policy covers admission and access to, and treatment and employment in, the District's programs and activities, including vocational education. Inquiries regarding the equal opportunity policies, the filing of complaints, or to request a copy of the complaint procedures may be directed to:

Assistant Superintendent, 5832 Bolsa Avenue, Huntington Beach, CA 92649, phone: 714-903-7000

Uniform Complaint Procedures

The Huntington Beach Union High School District is primarily responsible for complying with state and federal laws and regulations governing educational programs. The District shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, and seek to resolve those complaints in accordance with the procedures set out in sections 4600-4687 of the Title 5 Regulations and in accordance with the policies and procedures of the Governing Board. The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on age, actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, mental disability or physical disability or on the basis of persons 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.

The complainant has the right to appeal the HBUHSD decision to the California Department of Education by filing a written appeal within 15 days of receiving the HBUHSD decision. Complainants may pursue other remedies, including action before civil courts or other public agencies. Copies of the HBUHSD complaint procedures are available on the district website at www.hbuhd.org free of charge.

William Uniform Complaint Procedures

The District shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following listed below have occurred.

(Education Code 35186)

1. Textbooks and instructional materials, where students, including English learners, do not have standards-aligned textbooks or instructional materials or district-adopted textbooks or other required instructional materials to use in class.
2. Teacher vacancy or misassignment, where there is not a teacher assigned to the class or the teacher does not possess the credentials or subject matter competency to teach the class.
3. Facilities, where a condition poses an emergency or urgent threat to the health or safety of the students or staff, or a school restroom has not been cleaned, maintained, or kept open.
4. High school exit examination intensive instruction and services for students, including English learners, who have not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services. (A student is entitled to two consecutive academic years of intensive interventions after their class graduates or until the student has passed both parts of the exam.)

For both, Uniform Complaints and Williams Complaints forms are available at your high school or at www.hbuhsd.org. Questions or complaints should be directed to: Assistant Superintendent of Educational Services, Huntington Beach Union High School District, 5832 Bolsa Avenue, Huntington Beach, CA 92649, Phone: (714) 903-7000 x 4401

Complaints Concerning Employees

Complaints against school personnel should be made directly to the person against whom the complaint is lodged. If the complaint is not resolved at this level, the complaint should be put in writing and directed to the employee's immediate supervisor or the Principal. Every effort will be made to solve the complaint at the earliest possible stage. Failure to put the complaint in writing will be considered by the district as a dropping of the complaint.

Sexual Harassment Complaints

The District will not tolerate the sexual harassment of any student or employee by any other student or any district employee. Any student or employee who is found guilty of sexual harassment shall be subject to disciplinary action. The Board encourages students or staff to immediately report incidences of sexual harassment to the principal or designee. The Superintendent or designee 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.

The District acknowledges and respects student and employee rights to privacy. Complaints of any nature shall be investigated in a manner that protects the confidentiality of the parties and the facts. Retaliation in any form for the filing of a complaint, the reporting of discrimination or harassment, or participation in the complaint procedure is strictly forbidden. Inquiries regarding Federal laws and regulations concerning nondiscrimination in education or the District's compliance with those provisions may also be directed to:

Office for Civil Rights, U.S. Department of Education, 221 Main Street, Suite 1020, San Francisco, California 94105