



PARENTS' RIGHTS

EXCERPTS FROM CALIFORNIA EDUCATION CODE RELATING TO RIGHTS OF PARENTS OR GUARDIANS OF MINOR PUPILS

Notification of Parents and Guardians

48980. At the beginning of the first semester or quarter of the regular school term the governing board of each school district shall notify the parent or guardian of its minor pupils regarding the right of the parent or guardian under Sections 46014, 48205, 49403, 49423, 49451, 49472, 51240, and 51550.

48981. 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.

48982. The notice shall be signed by the parent or guardian and returned to the school. Signature of the notice is an acknowledgement by the parent or guardian that he has been informed of his rights but does not indicate that consent to participate in any particular program has either been given or withheld.

48983. If any activity covered by the sections set forth in Section 48980 will be undertaken by the school during the forthcoming school term, the notice shall state that fact and shall also state the approximate date upon which any of such activities will occur.

48984. No school district shall undertake any activity covered by the sections set forth in Section 48980 with respect to any particular pupil unless the parent or guardian has been informed of such action pursuant to this article and has received separate special notification.

Regulations Regarding Absences for Religious Purposes

46014. 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 and religious instruction at their respective places of worship or at other suitable place or places away

from school property designated by the religious groups, church, or denomination which shall be in addition and supplementary to the instruction in manners and morals required elsewhere in this code. Such absence shall not be deemed absence in computing average daily attendance, if all of the following conditions are complied with:

- (a) The governing board of the district of attendance, in its discretion shall first adopt a resolution permitting pupils to be absent from school for such exercises or instruction.
- (b) The governing board shall adopt regulations governing the attendance of pupils at such exercises or instructions and the reporting thereof.
- (c) Each pupil so excused shall attend school at least the minimum school day for his grade for elementary schools, and as provided by the relevant provisions of the State Board of Education for secondary pupils.
- (d) No pupil shall be excused from school for such purpose on more than four days per school-month.

Excuse from Health Instruction on Religious Beliefs

51240. Whenever any part of the instruction in "health" family life education, and sex education conflicts with the religious training and beliefs of the parent or guardians of any pupil, the pupil, on written request of the parent or guardians shall be excused from the part of the training which conflicts with such religious training and beliefs.

As used in this section, "religious training and beliefs" includes personal moral convictions.

Cooperation in Control of Communicable Disease and Immunization of Pupils

49403. Anything to the contrary notwithstanding, the governing board of any school district shall cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases in school- age children. For that purpose the board may use any funds, property, and personnel of the district, and may permit any person licensed as a physician and surgeon to administer an immunizing agent to any pupil whose parents have consented in writing to the administration of such immunizing agent.

Administration of Prescribed Medication for Pupil

49423. Any pupil who is required to take, during the regular school day, medication prescribed for him by a physician, may be assisted by the school nurse or other designated school personnel if the school district receives (1) a written statement from such physician detailing the method, amount, and time schedules by which such medication is to be taken, and (2) a written statement from the parent or guardian of the pupil indicating the desire of the school district to assist the pupil in the matters set forth in the physician's statement.

Sex Education Courses

51550. No governing board of a public elementary or secondary school may require pupils to attend any class in which human reproductive organs and their functions and processes are described, illustrated or discussed, whether such class be part of a course, designated "sex education" or "family life education" or by some similar term, or part of any other course which pupils are required to attend.

If classes are offered in public elementary and secondary schools 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. Sending the required notice through the regular United States mail, or any other method which such local school district commonly uses to communicate individually in writing to all parents, meets the notification requirements of this paragraph.

Opportunity shall be provided to each parent or guardian to request in writing that his child not attend the class. Such requests shall be valid for the school year in which they are submitted but may be withdrawn by the parent or guardian at any time. No child may attend a class if a request that he not attend the class has been received by the school.

Any written or audiovisual material to be used in a class in which human reproductive organs and their functions and processes are described, illustrated, or discussed shall be available for inspection by the parent or guardian at reasonable times and places prior to the holding of a course which includes such classes. The parent or guardian shall be notified in writing of his opportunity to inspect and review such materials.

This section shall not apply to description 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.

Nothing in this section shall be construed as encouraging the description, illustration, or discussion of human reproductive organs and their functions and processes in the public elementary and secondary schools.

The certification document of any person charged with the responsibility of making any instructional material available for inspection under this section or who is charged with the responsibility of notifying a parent or guardian of any class conducted within the purview of this section, and who knowingly and willfully fails to make such instructional materials available for inspection or to notify such parent or guardian, may be revoked or suspended because of such act. The certification document of any person who knowingly and willfully requires a pupil to attend a class within the purview of this section when a request that the pupil not attend has been received from the parent or guardian may be revoked or suspended because of such act.

Parent's Refusal to Consent

49451. A parent or guardian having control or charge of any child enrolled in the public schools may file annually with a principal of the school in which he is enrolled 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.

Stimulant Medications

49480. The parent or legal guardian of any public school pupil on a continuing medication regimen for non episodic condition, shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose. The superintendent of each school district shall be responsible for informing parents of all pupils of the requirements of this section.

Protection of Pupils: Dissemination of Personal Information

47073-79078. Establishes the right of parents to have access to and privacy of information about their children--information which has been entrusted to school officials. The point made by the legislation is that school officials must keep pupil information for parents and not from them. It is important to protect the rights of the individual and to reemphasize the concept of free flow of information between parents, pupil, and school. Appropriate employees of the Palermo Union School District are urged to proceed in a positive manner, to use good judgment and to follow the advice of legal counsel when in doubt.

1. School administrators should interpret "parents" to mean those who have custody of the pupil, guardians, or the pupils themselves if they are 18 years of age or older.
2. "Pupil information" should include all official written records which pertain to the pupil.
3. The Building Principal is hereby identified as the local school official responsible for all official written records of pupils at a school, and the District superintendent is similarly identified for all official written records of pupils maintained in the District Office.

4. Only the designated school officials shall make the records available upon the request of the persons who have the right to access. They shall do so within 45 days.

5. School officials shall assist those who have right of access and who are requesting to review pupil record by interpreting pupil information contained in the official written record.

6. School administrators shall, at their discretion, provide copies for a nominal fee of the official written records to those who have right of access. The nominal fee shall be \$0.10 per page (one side only).

7. Parents or guardians may include a written statement or response concerning disciplinary action to be placed in the pupil's written record.

8. Cumulative folders are released from Central Attendance to any school district, when parents' signed approval is received, but all other public agencies and/or private individuals must obtain approval through the Superintendent.

Truancy

48260.5. Upon a pupil's initial classification as a truant the school district shall notify the truant's parents or guardians by first-class mail or other responsible means that the pupil is truant; that the parent or guardian is obliged to compel the attendance of the pupil at school; that failure to do so may subject the parent or guardian to prosecution. The parents or guardians have the right to meet with appropriate school personnel to discuss solutions to pupil's truancy.

Student Discipline

35291. Rules pertaining to student discipline, including those that govern suspension or expulsion, are available from the building principal. They are also communicated to all students every year.

Confidential Medical Services

46010. The district may legally excuse grade 7-12 pupils for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. However, it is Administrative Policy of the Palermo Union School District to contact parents and guardians regarding such matters. (Confidential medical services will not be provided.)

Statement of Nondiscrimination

The district has a policy of nondiscrimination on the basis of sex. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging

noncompliance with this policy should be directed to the school principal. Appeals may be made to the district superintendent.

Identification of Individuals with Exceptional Needs

ECS 58300. Any parent suspecting a child has exceptional needs (handicapped) may request an assessment of eligibility for special education services through the school principal.

Temporarily Disabled Student

ECS 48207-48208. The parent or guardian of a pupil with a temporary disability shall notify the school district where the pupil is receiving care if an individualized instruction program is desired.

Sexual Harassment Prohibited

Sexual harassment is a form of discrimination that is prohibited. No sexual harassment shall occur, either in the form of unwelcome verbal comments or physical contact. Any student or adult who violates this policy shall be disciplined accordingly.

Student and Family Counseling Services Available - Free

Counseling services are available to students and to family members of students in the counseling program. The confidential services are free and offered at the school site by trained counselors. Please contact the school's principal or Anne Michels, Psychologist/Counselor to answer questions and/or sign up for services.

Annual Notice of Nondiscrimination Policy

Nondiscrimination Policy (Federal Regulations, Title VI, Title IX, and Section 504 of the Rehabilitation Act of 1973)

The Governing Board is committed to equal opportunity for all individuals in education and in employment and does not discriminate on the basis of sex, ethnic group classification, ancestry, religion, age, handicap or physical or mental disability or any other unlawful consideration. Questions or concerns regarding these rights or allegation of discrimination should be directed to the District Superintendent (504 Coordinator) at (916) 533-4842.