



## **ANNUAL NOTIFICATION 2024-2025**

Dear Solana Beach School District Families,

Welcome to the 2024-2025 school year! State law requires the Solana Beach School District (SBSD) to provide annual notification to students, parents and guardians of their rights and responsibilities pertaining to their child's education. Please read this important information on Annual Notifications for parents/guardians. The parents/guardians are required to acknowledge and confirm their receipt of this notice by completing the data confirmation process within the Parent Portal. This is an acknowledgment that parents/guardians have been informed of their rights and does not indicate the parent or guardian consent for their child to participate or not participate in any particular program listed within the Annual Notification.

Some legislation requires additional notification to the parents or guardians during the school term prior to a specific activity. (A separate letter will be sent to families prior to any of these specified activities or classes, and the student will be excused whenever the parents/guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are to be outlined in this Annual Notification.

SBSD and its Board recognize that parents/guardians involvement in their students' education promotes student achievement and contributes greatly to student success. This Annual Notification contains information on the various ways parental involvement is both permitted and encouraged by federal and state laws, as well as SBSD's policies. SBSD commits to providing a quality education to all of its students in a safe and healthy environment. SBSD looks forward to a successful and positive school year, made possible by the dedicated efforts of its administrators, teachers, paraeducators, support staff, students, and parents and guardians.

Specific updated information and interpretation questions concerning the content should be directed to the principal of the student's school of attendance or contact the Student Services office at 858-794-7187.

Sincerely,

Jennifer Burks, Ed.D.  
Superintendent

**Solana Beach School District**  
**309 N. Rios Avenue, Solana Beach, CA 92075**  
**(858) 794-7100 · [www.sbsd.net](http://www.sbsd.net)**

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## **ACCESS TO STUDENT MENTAL HEALTH SERVICES-EC 49428**

A child's mental health is essential to their social and cognitive development, and to learning healthy social skills and how to cope when there are problems. Mentally healthy children have a positive quality of life and can function well at home, in school, and in their communities. Mental health problems that are not recognized and treated in childhood can lead to severe consequences, including serious behavior problems, a higher risk of dropping out of school, and an increased risk of engaging in substance abuse, criminal behavior, and other risk-taking behaviors. As such, SBSB is committed to promoting the well-being of its students by ensuring that, at least twice a year, students and parents are each provided with information on how to initiate access to available student mental health services at school and/or in the community.

To notify parents or guardians, a school shall use at least two of the following methods:

- Distribute the information in a letter (electronic or hardcopy)
- Include the information in the annual parent notification
- Post the information on the school or district website

To notify pupils, a school shall use at least two of the following methods:

- Distribute the information in a document or school newsletter
- Include the information in the back-to-school materials or in the student handbook at the beginning of the year
- Post the information on the school or district website

## **ADMINISTRATION OF PRESCRIBED MEDICATION-EC 49423, 49423.1**

The parent of a student on a continuing medication regimen for a 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 student's parent, the school nurse may communicate with the physician and may counsel school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. The school nurse or other designated school employees may assist students who need to take prescribed medication during school hours only upon written request of both the physician/surgeon and the parent. The written request from the physician/surgeon shall include details as to the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent indicating the desire that the District assists the student in matters set forth in the statement of the physician/surgeon. In order for a student to carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication at school, the parent must provide a written statement consenting to the self-administration and a written statement from the physician/surgeon or physician assistant detailing the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine or inhaled asthma medication. The parent's written statement must provide a release for the school nurse or other designated school personnel to consult with the student's health care provider regarding any questions that may arise with regard to the medication, and releasing the District and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication. A student may be subject to disciplinary action if the student uses auto-injectable epinephrine or inhaled asthma medication in a manner other than as prescribed. All written requests shall be provided on an annual basis or when the medication, dosage, frequency of administration, or reason for administration changes. For requests regarding inhaled asthma medication, the District will also accept the written statement from a physician/surgeon who is contracted with a prepaid health plan operating lawfully under the laws of

Mexico that is licensed as a health care service plan in California as long as the statement is provided in both English and Spanish and includes the name and contact information of the physician/surgeon.

#### **ASBESTOS MANAGEMENT PLAN-40 C.F.R. 763.93**

Parents have the right to inspect a complete, updated copy of a management plan for asbestos-containing material in school buildings. This plan indicates if any of the District buildings contain asbestos, where in the building the asbestos is located, what stage the asbestos is in, and what type of mitigation is needed, if any. The plan is available for inspection at all school sites, and the District Maintenance & Operations office during normal business hours

#### **ATTENDANCE-EC 48980(h)**

##### **A. Residency Requirements-EC 48200, 48204, 48204.3, 48204.4, 48204.6, 48204.7**

Each person between the ages of 6 and 18 years (and not exempted) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district if they meet any of the following:

- (1) The student's parent resides within district boundaries.
- (2) The student is placed within district boundaries in a licensed foster home, licensed children's institution, or a family home pursuant to a court-ordered commitment or placement.
- (3) A pupil who is in foster care who remains in their school of origin.
- (4) The student is admitted through an interdistrict attendance option.
- (5) The student is an emancipated minor residing within district boundaries.
- (6) The student lives in the home of a caregiving adult that is located within the boundaries of the school district.
- (7) The student resides in a state hospital located within the boundaries of the school district.
- (8) The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability.
- (9) The student's parent resides outside of the boundaries of that school district but is employed and lives with the student at the place of their employment within the boundaries of the school district for a minimum of three days during the school week.
- (10) The student's parent, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state.
- (11) The student's parent was a resident of California who departed the state against their will due to a transfer by a government agency that had custody of the parent, a lawful order from a court or government agency authorizing the parent's removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of the parent's departure.
- (12) The student is a homeless or foster child who remains in their school of origin.
- (13) A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both of the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a specific number of hours during the school week, as per Board Policy;
- (14) The student is a migratory child or a child of a military family who continues attending their school of origin.

Residency Investigations: The governing board of the Solana Beach School District has adopted a board policy regarding the process it follows for conducting investigations to determine whether a pupil meets

residency requirements for school attendance in the school district. A copy of the Solana Beach School District Board Policy 5111.1 is located at [www.sbsd.net](http://www.sbsd.net).

## **B. Statutory Attendance Options**

**Intradistrict Choice Policy (EC 35160.5(b)):** Residents of the school district may apply to other schools within the school district for their child to attend on a space available basis during the window permitted, as outlined in Board Policy and Administrative Regulation <https://www.sbsd.k12.ca.us/Page/839>.

**Interdistrict Attendance (EC 46600):** The parent or guardian of a pupil may seek release from the home district to attend a school in any other school district. Each school district shall post on its Web site the procedures and timelines, including a link to the policy of the governing board of the school district, regarding a request for an interdistrict transfer permit in a manner that is accessible to the public without a password. The information posted on the Web site shall include, but need not be limited to the following:

- The date upon which the school district will begin accepting and processing interdistrict transfer requests for the subsequent school year.
- The reasons for which the school district may approve or deny a request, and any information or documents that must be submitted as supporting evidence.
- If applicable, the process and timelines by which denial of a request may be appealed within the school district before the school district renders a final decision.
- That failure of the parent to meet any timelines established by the school district shall be deemed an abandonment of the request.
- Applicable timelines for processing a request, including statements that the school district shall do the following:
  - Notify a parent submitting a current year request, as defined in Section 46600.1, of its final decision within 30 calendar days from the date the request was received.
  - Notify a parent submitting a future year request, as defined in Section 46600.1, of its final decision as soon as possible, but not later than 14 calendar days after the commencement of instruction in the school year for which interdistrict transfer is sought.
  - The conditions under which an existing interdistrict transfer permit may be revoked or rescinded.

## **C. Absences due to Religious Exercises or Instruction-EC 46014**

With the written consent of the parent, a student may be excused from school in order to participate in religious exercises or receive moral and religious instruction at the student's place of worship or at other suitable places away from school property designated by a religious group, church, or denomination. Such absence shall not be deemed absence in computing average daily attendance if the student attends at least the minimum school day and is not excused from school for this purpose on more than four days per school month.

## **D. Notification of Minimum Days and Pupil Free Staff Development Day-EC 48980(c)**

A schedule of minimum days and pupil-free staff development days will be made available online at [www.sbsd.net](http://www.sbsd.net) at the beginning of the school year or as early as possible/no later than one month prior.

## **E. Grade Reduction/ Loss of Academic Credit-EC 48980(j)**

No pupil shall have their grade reduced or lose academic credit for any excused absence pursuant to EC 48205 for missed assignments/tests that can reasonably be provided/completed.

## **F. Excused Absence; Justifiable Personal Reasons; Credit (EC 48205); Truancy (EC 48260, et seq.)**

In order for an absence to be excused, the reason for such absence must meet the criteria specified



under EC 48205, as provided below. A student shall not have a grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

**Excused Absences:**

- (1) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
  - (a) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
  - (b) Due to quarantine under the direction of a county or city health officer.
  - (c) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  - (d) For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.
  - (e) For the purpose of jury duty in the manner provided for by law.
  - (f) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
  - (g) For justifiable personal reasons, including, but not limited to, attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreat, 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 of the school district.
  - (h) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - (i) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
  - (j) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
  - (k) For the purpose of participating in a cultural ceremony or event.
  - (l) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
    - i. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but
    - ii. not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (2) For the purpose of this section, religious retreats shall not exceed one school day per semester. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
  - (a) "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.
  - (b) A "civic or political event" includes, but is not limited to, voting, polling, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

- (c) "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
- (d) "Victim services organization or agency" has the same meaning as defined in paragraph (7) of subdivision (g) of Section 230.1 of the Labor Code

**Truancy:**

- (1) The first time a truancy report is issued, the pupil and, as appropriate, the parent or legal guardian, may be requested to attend a meeting with the principal, a school counselor, or other school's designees to discuss attendance issues and develop a plan to improve attendance.
- (2) The second time a truancy report is issued within the same school year, the pupil may be given a written warning by a peace officer pursuant to EC 48264.5. The pupil may also be assigned to an afterschool or weekend study program located within the same county as the pupil's school.
- (3) The third time a truancy report is issued within the same school year, the pupil shall be classified as a habitual truant and may be required to attend an attendance review board or a truancy mediation program pursuant to EC 48263.
- (4) The fourth time truancy is issued within the same school year, the pupil may be within the jurisdiction of the Juvenile Court and may judge the pupil to be a ward of the court pursuant to Welfare and Institutions Code section 601.

**CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS-EC 52052, 60640**

The California Assessment of Student Performance and Progress (CAASPP) is a system that includes a number of assessments administered each spring to students in specified grade levels. These tests were created specifically to gauge each student's performance and progress in English language arts, mathematics, and science. The assessments measure the skills called for by the California State Content Standards, including the ability to write clearly, think critically, and solve problems. CAASPP tests are given statewide and therefore provide an opportunity to measure the skills of all students against the same academic standards.

The CAASPP system consists of the following assessments:

- The Smarter Balanced summative assessments for English language arts and mathematics in grades 3-8 and 11.
- The California Science Tests (CAST) in grades 5, 8, and once in grades 10-12.
- The California Alternate Assessments (CAA) in English language arts, mathematics, and science, administered to students with significant cognitive disabilities whose individualized education program (IEP) team has designated the use of an alternate assessment on statewide summative assessments.

Parents/guardians may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the Superintendent or designee. If a parent submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent and included in the student's records.

**CHILD ABUSE PREVENTION AND NEGLECT REPORTING-EC 489787**

All employees of SBSB are considered mandated reporters, required by law to report cases of child abuse and neglect to the appropriate law enforcement agency when they have a reasonable suspicion that a child has been a victim of child abuse and/or neglect. Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on their training and experience, to suspect child abuse or neglect; it does not require certainty that the child abuse and/or neglect has occurred. The fact that a child

is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect. Parents of students also have a right to file a complaint against a school employee or another person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; parents may also notify the district of an incident by contacting the Assistant Superintendent of Personnel Services at 858-794-7100.

#### **CONSENT TO PHYSICAL EXAMINATION-EC 48980, 49451**

Periodic health examinations of students may lead to early detection and treatment of conditions that impact learning. These examinations may also help determine whether the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act or Section 504. However, a parent may annually file with the principal a written statement withholding consent to the physical examination of their child. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected.

#### **COURSE PROSPECTUS-EC 49091.14**

Each school site shall create a prospectus, which includes the curriculum, including titles, descriptions, and instructional aims of every course offered. The prospectus shall be made available upon request by a parent or guardian.

#### **CUSTODY ISSUES**

Schools are not a forum to settle custody disputes and the school has no legal jurisdiction to refuse a biological parent access to their child and the child's school records unless a signed restraining order or proper divorce papers specifically setting forth limitations are on file at the school office. Custody disputes must be handled by the courts.

#### **DANGERS OF SYNTHETIC DRUGS**

The purpose of this section is to inform parents and legal guardians about the dangers associated with synthetic drugs and provide suggestions to protect your child from this serious public health threat. The overuse and misuse of prescription and over-the-counter medications, as well as the increasing use of counterfeit drugs and fake pills, is a serious public health threat. Prescription opioid medications, like morphine, hydrocodone, and oxycodone, are prescribed to treat pain but are increasingly being misused. Additionally, counterfeit drugs and fake pills contaminated with lethal doses of fentanyl, a synthetic opioid, have flooded the market, contributing to the opioid epidemic. Synthetic opioids (primarily fentanyl) are the main cause of overdose deaths. Tips for Parents Legal Guardians and Caregivers may be found at <https://www.dea.gov/onepill>.

#### **DIRECTORY INFORMATION-EC49073**

*Directory information* means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes the student's name, address, telephone number, email address, date of birth, dates of attendance, and most recent previous school attended. Directory information may include a student identification number, user identification, or other personal identifier used by the student for purposes of accessing or communicating in electronic systems as long as the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user.

Directory information does not include a student's social security number. Directory information also does not include the student's citizenship status, immigration status, place of birth, or any other information indicating national origin. SBSD will not release such information without parental consent or a court order.

The primary purpose of directory information is to allow the school and SBSB to include this type of information from the student's education records in certain school and/or district publications (e.g., a playbill showing the student's role in a drama production, honor roll or other recognition lists, annual yearbook, promotion/graduation programs. No information may be released to private profit-making entities other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. No directory information of a student identified as a homeless child or youth will be released unless the parent has provided written consent that directory information may be released. For all other students, directory information will not be released if their parent **notifies the school principal in writing that such information should not be disclosed without their prior consent. Parents may submit a *Release of Directory Information* form to opt-out, or in the case of a homeless child or youth, opt-in, of the release of directory information by the third Friday in September.**

#### **DISCIPLINE RULES EC 35291, 44807, 48980**

SBSB is committed to providing a safe, supportive, and positive school environment that is conducive to student learning and achievement and strives to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The District believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

Each school site and each classroom teacher has established behavior expectations for their students that are consistent with Board policy and applicable state and federal laws. Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the District's nondiscrimination policies. Students shall be held to a strict account for their conduct on the way to and from school, in the classroom and other school buildings, on school grounds, at school-sponsored activities, and on the school bus. Students shall conform to school regulations; obey promptly all directions of teachers and others in authority; be diligent in study; be kind, courteous, and respectful to all students and staff; and refrain entirely from the use of profane and vulgar language.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed.

#### **EDUCATIONAL EQUITY: IMMIGRATION AND CITIZENSHIP STATUS-EC 234.**

All students have the right to a free public education regardless of their immigration status or religious beliefs. Consistent with state and federal laws and the requirements of the California Office of the Attorney General, SBSB:

1. Prohibits unlawful discrimination, harassment, intimidation, and bullying in the District's programs and activities on the basis of a student's citizenship or immigration status.
2. Investigates and resolves allegations of unlawful discrimination, harassment, intimidation, and bullying in accordance with its Uniform Complaint Procedures.
3. Prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members unless required to administer a state or federal program.
4. Ensures resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination.

5. Reports to the Governing Board in a timely manner any requests to gain information or access to a school site by an officer or employee of a law enforcement agency for immigration enforcement purposes.
6. Only contact child protective services if district personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

Please visit the State of California's Attorney General's "Know Your Rights" page **for more information** at <https://oag.ca.gov/immigrant/rights>. For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact the Bureau of Children's Justice, California Attorney General's Office.

### **ELECTRONIC LISTENING AND RECORDING DEVICES – EC 51512**

The use by any person, including a student, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal given to promote an educational purpose is prohibited. It disrupts and impairs the teaching process and discipline in schools. Any person, other than a student, who willfully violates this section shall be guilty of a misdemeanor. Any pupil violating this section shall be subject to appropriate disciplinary action.

### **EMPLOYEE INTERACTION WITH STUDENTS-EC 44050**

Employees, including independent contractors and volunteers, of SBSD are expected to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students both within and outside the educational setting. To ensure employees fulfill their obligation to ensure the safety of each and every student and contribute to a positive school climate, employees shall not engage in unlawful or inappropriate interactions with students and must avoid boundary-blurring behaviors that undermine trust in the adult-student relationship. (Board Policies 4119.21, 4219.21, 4319.21) Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

### **ENGLISH IMMERSION PROGRAM-EC 310**

In order to facilitate parental choice of program, SBSD will inform any parent or guardian of a pupil who is to be placed in a structured English immersion program and will notify the parent or guardian of an opportunity to apply for a parental exception waiver.

### **ENTRANCE HEALTH SCREENING**

State law requires that the parents of each student provide the school within 90 days after entrance to first-grade documentary proof that the student has received a health screening examination by a doctor within the prior 18 months. The parent may submit a waiver on a form developed by the California Department of Health Care Services indicating that they do not want or are unable to obtain a health screening. If the waiver indicates that the parent is unable to obtain the services, the reasons should be included in the waiver. Students may be excluded, beginning the 91st day after the student's entrance into the first grade, up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available for eligible students through the [Child Health and Disability Prevention Program](#).

**EXEMPTION FROM HARMFUL OR DESTRUCTIVE USE OF ANIMALS-EC 32255-32255.6**

Any student with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, shall notify the teacher of the objection. Objections shall be substantiated by a note from the student's parent/guardian.

When a student chooses to refrain from participation in an educational project involving the harmful or destructive use of animals, the teacher shall work with the student to develop an agreed-upon alternate project, if such a project is possible, so that the student may still obtain the knowledge, information, or experience required for the lesson. The alternative project shall require a comparable time and effort invested by the student – it shall not be more difficult than the original education project as a means to penalize the student. No student shall be discriminated against based upon their decision to exercise these rights.

**FINGERPRINTING PROGRAM-EC 32390**

SBSD does not offer a voluntary fingerprinting program. Fingerprinting requires written parental consent as well as payment by the parent or guardian of any applicable fees.

**HPV IMMUNIZATIONS**

The purpose of this section is to inform parents and legal guardians about human papillomavirus (HPV) and provide recommendations to protect your child from the cancers it can cause through immunization. HPV is a very common virus that 8 out of 10 people will get at some point in their lifetime. HPV vaccination can prevent over 90% of cancers caused by HPV. HPV vaccines are safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks. Vaccination against HPV is recommended by the Federal Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians. It's also recommended by the American Cancer Society and California's Cancer Prevention Act. Because the vaccine is more effective when given at younger ages, two doses of HPV vaccine are recommended for all kids between the ages of 9 to 12 years, and the second dose should be given before the start of 8<sup>th</sup> grade.

**IMMUNIZATIONS EC 48216, 48980, 49403**

To protect the health of all students and staff and to curtail the spread of infectious diseases, students must be immunized against certain communicable diseases. Students may not be admitted into any elementary, preschool, or childcare and development program for the first time unless they have met the immunization requirements. The parent's guide to "[Required Immunizations for School Entry](#)" from the California Department of Public Health (CDPH) website can be accessed by clicking on the link.

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunization records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

Medical exemptions may only be submitted using the standardized form developed by CDPH. To request such an exemption, parents are to first register for a California Immunization Registry – Medical Exemption (CAIR-ME) account at <https://cair.cdph.ca.gov/exemptions/home> to obtain a medical exemption request number before going to their child's doctor.

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the student's parent will receive notice that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against a communicable disease.

SBSD will cooperate with state and local public health officials in measures necessary for the prevention and control of communicable diseases in school age children.

### **INVESTING IN HIGHER EDUCATION-EC 48980(d)**

Receiving a college or university education can lead to many benefits: increased earning potential, increased career opportunities, financial security, better problem-solving skills, and improved health and well-being. To ensure that students can afford to go to college and not be weighed down by student loan debt, parents are highly encouraged to start saving for college as soon as they can – even when children are infants. As with any investment, the earlier money is saved, the more time it has to grow. Investment options include, but are not limited to, a 529 college savings plan, an individual retirement account (IRA or Roth IRA), Uniform Gift to Minors Act (UGMA) or Uniform Transfer to Minors Act (UTMA), trusts, or United States savings bonds.

### **LANGUAGE ACQUISITION PROGRAM**

Language acquisition programs are educational programs designed to ensure English acquisition as rapidly and as effectively as possible, and to provide instruction to students on the state-adopted academic content standards, including the English language development (ELD) standards.

#### Parent Request of Establishment of a Language Acquisition Program

Parents of enrolled students, and those enrolled for attendance in the next school year, may submit a request that SBSD establish a specific language acquisition program. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

For additional questions regarding language acquisition programs and how to request the establishment of a program, please contact Instructional Services at 858-794-7138.

#### Timelines and Implementation Process

The timeline begins when the threshold number of requests for the same or substantially similar type of language acquisition program is reached (30 or more students enrolled in a school, or 20 or more students in the same grade level). Within 10 school days of reaching the threshold, SBSD will provide written notification of the requests for a language acquisition program to parents of students attending the school, the school's teachers and administrators, and the site and district English learner advisory committees and parent advisory committee. Within 60 calendar days of reaching the threshold, a study will be conducted to determine if the language acquisition program can be implemented, and a written notice of the determination will be provided to parents of students attending the school and the school's teachers and administrators. Each school will follow the process set forth above, even when SBSD provides the requested language acquisition program at another district school at the time the threshold of parent requests is met.

#### Sufficient Resources

To effectively implement a language acquisition program, SBSD will allocate enough resources to support the success of the program in attaining its articulated goals. Sufficient resources include, but are not limited to certificated teachers with the appropriate authorizations, necessary instructional resources pertinent to professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals.

### **MARKETING: DISCLOSURE OF STUDENT INFORMATION-20 U.S.C. 1232g**

SBSD makes student directory information available in accordance with state and federal laws. This means that each student's name, birthday, address, and telephone number, may be released to agencies such as the local PTA/PTO or Solana Beach Schools Foundation (SBSF). If you do not wish this



information released, please go to [www.sbsd.net](http://www.sbsd.net) and sign and return the attached form provided for this purpose to the school or county office program.

### **MEDICAL OR HOSPITAL SERVICES EC 49471, 49472**

SBSD does not provide medical or hospital services through non-profit membership corporations or insurance policies for student injuries arising out of school-related activities.

### **MEGAN'S LAW/SEX OFFENDERS-PENAL CODE-290**

Information about registered sex offenders in California and how to protect their families, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California can be found at <http://meganslaw.ca.gov/>.

### **NONDISCRIMINATION IN CHILD NUTRITION PROGRAMS**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a [Form AD-3027](#), USDA Program Discrimination Complaint Form which can be obtained online, from any USDA office. This institution is an equal opportunity provider.

### **NONDISCRIMINATION IN PROGRAMS AND ACTIVITIES EC 200 *et seq.***

SBSD is committed to providing equal opportunity for all individuals in its programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, political affiliations, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. All individuals shall be treated equitably in the receipt of district and school services. The District assures that a lack of English language skills shall not be a barrier to admission or participation in district programs. When 15 percent or more of a school's students speak a single primary language other than English, all notices, reports, statements, or records sent to parents by the school shall be translated into that other language; parents may respond in English or the primary language. District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. The Superintendent or designee shall ensure that the District provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies, or other modifications to increase accessibility to district and school websites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting. All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved through the Uniform Complaint Procedures.



## NOTICE OF ALTERNATIVE SCHOOLS-EC 58501

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

- (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- (b) Recognize that the best learning takes place when the student learns because of **the student’s** desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow **the student’s** own interests. These interests may result in whole or in part from a presentation by his 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, **student**, 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.”

## ORAL HEALTH ASSESSMENT-EC 49452.8

Even though they fall out, baby teeth are very important. Children need healthy baby teeth to eat, talk, smile, and feel good about themselves. Children with cavities may have pain, difficulty eating, stop smiling, and have problems paying attention and learning at school. To help children stay healthy, parents are advised of the following:

- Children need to be taken to the dentist. Dental check-ups can help keep a child’s mouth healthy and pain free.
- Healthy foods, like fresh fruits and vegetables, should be chosen for the entire family.
- Teeth need to be brushed at least twice a day with toothpaste that contains fluoride.
- Candy and sweet drinks like punch, juice, or soda should be limited. Sweet drinks and candy contain a lot of sugar, which causes cavities and leaves less room for a child to have healthy foods and drinks. Sweet drinks and candy can also cause weight problems, which may lead to other diseases, such as diabetes. Give a child healthy choices like water, milk, and fruit instead.

State law requires children to have an oral health assessment or dental check-up in their first year in public school – whether in kindergarten or first grade. The assessment must be performed by a licensed dentist or other licensed or registered dental health professional no earlier than 12 months before the date of a child’s initial enrollment in school and no later than May 31 of the school year. The dentist will complete the Oral Health Assessment form, which then must be submitted to the school as proof that the assessment has been done. The school shall maintain the privacy of all students’ health information. A student’s identity shall not be associated with any report produced as a result of this requirement.

A parent who is unable to obtain the oral health assessment must complete a Waiver of Oral Health Assessment Requirement form and submit that to the school.

To help find a dentist, call the Medi-Cal Telephone Service Center at 1-800-322-6384 or visit [Medi-Cal Dental \(https://dental.dhcs.ca.gov\)](https://dental.dhcs.ca.gov) to find a dentist that accepts Medi-Cal. To enroll a child in Medi-Cal, parents can apply by mail, go in person to the local Social Services office, or online at [Apply for Medi-Cal \(https://www.dhcs.ca.gov/services/medi-cal/pages/applyformedi-cal.aspx\)](https://www.dhcs.ca.gov/services/medi-cal/pages/applyformedi-cal.aspx).

**PESTICIDE PRODUCTS-EC 48980.3, 17612, 48980.3, 17610.5**

SBSD uses pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment. Such pesticides shall only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. A warning sign at each area of the school site where pesticides will be applied shall be posted visibly to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and shall remain posted until 72 hours after the application. When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons or the school site, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. Parents seeking access to information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation are made available by the Department of Pesticide Regulation at [www.cdpr.ca.gov](http://www.cdpr.ca.gov). Parents can register at their student's school to receive notification of individual pesticide applications. To register, contact: [maintenance@sbsd.net](mailto:maintenance@sbsd.net) or call (858) 794-7150.

**PROFESSIONAL QUALIFICATIONS 20 USC 6312; 34 CFR 200.61**

Parents of students who attend a school receiving Title I funds may request information regarding the professional qualifications of their student's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. Whether the teacher is teaching in the field of discipline or the certification of the teacher.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

A school that receives Title I funds will also provide to each individual parent information on the level of achievement and academic growth of their child, if applicable and available, on each of the required State academic assessments, and timely notice that their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

**PROPERTY DAMAGE OR LOSS-EC 48904, 48980, 49014**

When district property is damaged due to the willful misconduct of a student, SBSD shall seek reimbursement of damages, within the limitations specified in law, from the student's parent or from any other responsible individual.

SBSD may collect debt owed by a student or former student as a result of vandalism or to cover the replacement cost of district books, supplies, or property loaned to a student that the student willfully fails to return or that is willfully cut, defaced, or otherwise injured. If the student's parent is unable to pay for the damages or to return the property, a program of voluntary work for the student shall be offered in lieu of the payment of monetary damages. Appropriate disciplinary procedures may be initiated against the student.

**PROTECTION OF PUPIL RIGHTS AMENDMENT-EC 51513**

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary students certain rights regarding the conduct of surveys, collection, and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–

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 student's parent; or
  8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of:
    - Any other protected information survey, regardless of funding;
    - Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
    - Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
  - Inspect, upon request and before administration or use –
    - Protected information surveys of students and surveys created by a third party;
    - Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
    - Instructional material used as part of the educational curriculum.

SBSD has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. SBSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. SBSD will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt their child out of participation in the specific activity or survey. SBSD will provide this notification to parents at the beginning of the school year if the district has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with: Student Privacy Policy Office, U.S. Department of Education.

## **RIGHTS OF FOSTER YOUTH – EC 48853; 48853.5; 49069.5; 51225.1; 51225.2**

A foster child means any of the following:

1. A child who has been removed from their home pursuant to WIC 309.
2. A child who is the subject of a petition filed under WIC 300 or 602, whether or not the child has been removed from their home.
3. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law.

4. A child who is the subject of a voluntary placement agreement, as defined in WIC 11400(p).

The following is a brief summary of a foster youth's rights:

1. Right to attend either the "school of origin" or the current school of residence. The school of origin can be the school attended when the student first entered foster care, the school most recently attended, or any school the foster youth attended in the last 15 months. If any dispute arises regarding the request of a foster youth to remain in the school of origin, the foster youth has the right to remain in the school of origin pending resolution of the dispute.
2. Right to immediate enrollment even if the foster youth is unable to produce records normally required for enrollment (*e.g.*, proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (*e.g.*, school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
3. Right to have the foster youth's educational rights holder, attorney, and county social worker notified when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination review for a foster youth who is a student with a disability, prior to a change in the foster youth's placement.
4. Right of the foster youth not to have grades lowered for any absence from school that is due to a verified court appearance or related court-ordered activity, or to a decision by a court or placement agency to change the student's placement, in which case, the grades must be calculated as of the date the student left school.
5. Right to file a complaint through the Uniform Complaint Procedures if there is an allegation that the District has not complied with requirements regarding the education of foster youth.

For assistance, contact the District's foster youth liaison, Director of Student Services, 858-794-7187, [studentservices@sbsd.net](mailto:studentservices@sbsd.net)

## **RIGHTS OF HOMELESS YOUTH**

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all homeless school-aged children to the same free and appropriate public education that is provided to non-homeless students. A homeless youth is defined as a child who lacks a fixed, regular, and adequate nighttime residence and includes children and youth who: are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; may be living in motels, hotels, trailer parks, or shelters; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or are migratory children who qualify as homeless because of similar living circumstances. To ensure that each school identifies all homeless and unaccompanied youths enrolled at the school, a housing questionnaire is administered at least once a year. The questionnaire can be made available in the primary language of the student's parent or unaccompanied youth upon request.

The following is a brief summary of a homeless youth's rights:

1. Right to attend either the "school of origin" or the current school of residence and not be required to attend a separate school for homeless children or youth. The school of origin can be the school attended when the student had permanent housing, the school most recently attended, or any school the homeless youth attended in the last 15 months. Transportation may be provided.
2. Right to immediate enrollment even if the homeless youth is unable to produce records normally required for enrollment (*e.g.*, proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (*e.g.*, school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
3. Right to automatically qualify for child nutrition programs.
4. Right to not be stigmatized by school personnel.
5. Right to file a complaint through the Uniform Complaint Procedures if there is an allegation that the District has not complied with requirements regarding the education of homeless youth.

Unaccompanied youth who meet the definition of homeless youth are also eligible for rights and services under the McKinney-Vento Act. An unaccompanied youth is defined as a minor who is not in the physical custody of a parent.

The Director of Student Services serves as the Homeless Liaison for the District and can be reached at 858-794-7187, [studentservices@sbsd.net](mailto:studentservices@sbsd.net). Notice of the educational rights of homeless youth and resources available to persons experiencing homelessness are posted on the District website at [www.sbsd.net](http://www.sbsd.net).

### **RIGHTS OF PARENTS-EC 51101**

Parents 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 by the school, and to participate in the education of their children, as follows:

- Within a reasonable period of time following making the request, to observe their child's classroom
- Within a reasonable time of their request, to meet with their child's teacher and the principal
- To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher.
- To be notified on a timely basis if their child is absent from school without permission.
- To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of the school that their child attends on standardized statewide tests, including the state test for English language proficiency for English learners.
- To request a particular school for their child, and to receive a response from the school district.
- To have a school environment for their child that is safe and supportive of learning.
- To examine the curriculum materials of the child's classes.
- To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
- To have access to the school records of their child.
- To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
- To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
- To receive information about any psychological testing the school does that involves their child and to deny permission to give the test.
- To participate as a member of a parent advisory committee, school-site council, or site-based management leadership team.
- To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
- To be notified, as early in the school year as practicable if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

A parent's lack of English fluency does not prevent a parent from exercising such rights. The District will take all reasonable steps to ensure that all parents who speak a language other than English are properly notified in English and in their home language, pursuant to EC 48985, of the rights and opportunities available to them. Please note that the District is not authorized to allow a parent's participation in the education of their child if it conflicts with a valid restraining order, protective order, or order for custody or visitation issued by a court of competent jurisdiction.



### **SAFE PLACE TO LEARN ACT-EC 234, 234.1**

The Solana Beach School District is committed to providing a welcoming, safe, and supportive school environment that allows all students equal access and opportunities in the District's academic, extracurricular, and other educational support programs, services, and activities. As such, it prohibits unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; or association with a person or group with one or more of these actual or perceived characteristics. This policy applies to all acts constituting discrimination, harassment, intimidation, and bullying related to school activity or school attendance occurring within a district school, and to acts that occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

The district also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints are investigated and resolved in the same manner as discrimination complaints.

Students who feel that they have been subjected to unlawful discrimination described above, or who observe any such incident, are strongly encouraged to immediately contact the Uniform Complaint Procedure compliance officer, principal, or any other staff member. In addition, students and parents may request to meet with the UCP compliance officer to determine how best to accommodate or resolve concerns that may arise from the District's implementation of its nondiscrimination policies. To the extent possible, the district will address any individual student's interests and concerns in private.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, will be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

SBSD's anti-discrimination and anti-harassment policies are posted in schools and offices and available online at [www.sbsd.net](http://www.sbsd.net). Additionally, SBSD will not include the directory information or the personal information of a student or the parent of a student in the minutes of a meeting of the Governing Board, except as required by judicial order or federal law, if the parent has provided a written request to the secretary or clerk of the Board to exclude their personal information or the name of their minor child from the minutes of a Board meeting.

### **SAFE STORAGE OF FIREARMS-EC 48986, 49391, 49392; Cal. Civ Code 29805, 1714.3**

The purpose of this section is to inform and remind parents and legal guardians of all students in the Solana Beach School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition. Please take some time to review and evaluate your own personal practices to ensure that you and your family are in compliance with California law. With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby:

1. causes death or injury to the child or any other person;
2. carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through grade 12 grade, or to any school-sponsored event, activity, or performance; or

3. unlawfully brandishes the firearm to others.

Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm. With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm. In addition to potential fines and terms of imprisonment, as of Jan. 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years. Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward. Note: San Diego County or the city may have additional restrictions regarding the safe storage of firearms.

**SCHOOL ACCOUNTABILITY REPORT CARD-EC 35256, 35258**

By February 1 of each year, all public schools in California are required to update and publish a school accountability report card (SARC) with the intent to provide the public with important information about each public school and to communicate a school's progress in achieving its goals. The content of the SARC includes demographic data, information regarding school safety and climate for learning, academic data, class sizes, teacher and staff information, curriculum and instruction descriptions, and fiscal and expenditure data. An updated copy of the School Accountability Report Card for each district-operated school can be found on SBSD's website at [www.sbsd.net](http://www.sbsd.net). A hard copy will also be provided upon request to any student's parent or guardian.

**SCHOOL MEALS-EC 48980, 49510, 49520**

Adequate nutrition is essential to the development, health, well-being, and learning of all students. A free, nutritionally adequate breakfast and lunch is provided each school day to any student who requests a meal regardless of the student's free or reduced-price meal eligibility. Visit [www.sbsd.net](http://www.sbsd.net) for more information about child nutrition services in SBSD.

**SCHOOL VISITING PROCEDURES-EC 51101(a)(12)**

The SBSD policy concerning visiting procedures may be found online at [www.sbsd.net](http://www.sbsd.net). Penal Code 627.6: requires schools to post at every entrance a notice of visitor registration requirements, registration hours, registration location, and penalties for the violation of the registration requirements.

**SECTION 504**

Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101, et seq.) prohibits discrimination on the basis of disability. The District provides a free and appropriate public education (FAPE) to all students regardless of the nature or severity of their disability. In addition, qualified students with disabilities are provided an equal opportunity to participate in programs and activities that are integral components of SBSD's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities.

To qualify for Section 504 protections, the student must have a mental or physical impairment that substantially limits one or more major life activities. For the purpose of implementing Section 504, the following terms and phrases are defined below:

1. *Physical impairment* means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine.
2. *Mental impairment* means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.

3. *Substantially limits major life activities* means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. Major life activities also include *major bodily functions* such as functions of the immune system, special sense organs, and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system.

SBSD has a responsibility to identify, evaluate, and if eligible, provide students with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. Additionally, a parent, teacher, other school employee, student success team, or community agency may refer a student to the principal or Section 504 Coordinator for consideration as a student with a disability under Section 504. If, upon evaluation, a student is determined to be a student with a disability who is eligible for regular or special education and related aids or services, the team will develop a written Section 504 Service Plan specifying the accommodations and supplementary aids and services necessary to ensure that the student receives FAPE.

For additional information about the rights of parents of eligible students, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact the Section 504 Coordinator at your student's school site location.

### **SELECTION AND RECONSIDERATION GUIDELINES FOR SCHOOL LIBRARIES**

SBSD libraries provide print and digital resources for a broad range of reading levels and interests. We are committed to offering materials that reflect and expand the cultural diversity of our local and global community. Appropriate to the grade levels encompassed at a particular campus, titles are selected to be in alignment with curriculum content and library standards and also are geared to stimulating students' selections for recreational reading and pursuing individual interests. SBSD Selection and Reconsideration Guidelines for School Libraries, including a Parent/Guardian Library Media Center Materials-Check Out Restriction Form, is available online at <https://www.sbsd.k12.ca.us/Page/10226>

### **SEXUAL HARASSMENT EC 231.5, 48900.2, 48980**

SBSD is committed to maintaining a safe school environment that is free from harassment and discrimination. Sexual harassment of students at school or at school-sponsored or school-related activities is prohibited. Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. All students (as well as other persons) are protected by Title IX – regardless of their sex, gender, gender expression, gender identity, sexual orientation, disability, race, or national origin – in all aspects of SBSD'S educational programs and activities. California law further provides that students may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting students may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. The essence of Title IX is to ensure that students (as well as other persons) are not excluded, separated, denied benefits to, or otherwise treated differently on the basis of sex unless expressly authorized to do so under state or federal law in areas including, but not limited to recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment.

The following individual has been designated as the District's Title IX Coordinator: Director Student Services, 309 N. Rios Avenue, Solana Beach, CA 92075, 858-794-7187, [studentservices@sbsd.net](mailto:studentservices@sbsd.net). The Title IX Coordinator is responsible for coordinating the District's efforts to comply with Title IX sexual harassment complaint procedures, as well as to oversee, investigate, and/or resolve sexual harassment



complaints processed under the Uniform Complaint Procedures. To review the full text of the District's board policy and administrative regulation on sexual harassment, please go to [www.sbsd.net](http://www.sbsd.net).

### **SPECIAL EDUCATION- EC 56301**

SBSD is dedicated to identifying, locating, and assessing all students within the District from birth to 21 years of age who may have disabilities, and providing appropriate support and/or related services to those students determined by an educational evaluation. Additionally, a parent, teachers, and appropriate professionals may refer a student who is believed to have a disabling condition that may require special education programs or services by contacting the Executive Director of Special Education Services at 858-794-7124.

The Individuals with Disabilities Education Act (IDEA) defines "children with disabilities" to mean children with intellectual disabilities, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments or specific learning disabilities, and who by reason thereof, need special education and related services.

The District is committed to providing eligible students with disabilities a free and appropriate public education consistent with federal and state laws, including those students enrolled in private schools and those who are experiencing homelessness, are wards of the state, or are highly mobile students with exceptional needs.

Services are provided based on the individual needs of the student. After a team, comprised of educational professionals and the parent(s), determines a student's unique needs and considers a variety of factors, an individual education program (IEP) is created. An IEP is a legal document that describes how the District provides services to a student with exceptional needs.

### **STUDENT BEHAVIOR– EC 35291**

#### **A. All Students**

##### **1. Grounds for Suspension-EC 48900**

A student at any grade level may be suspended from school or recommended for expulsion for committing any of the following acts that are related to a school activity or school attendance: (EC 48900, 48900.7)

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon another person, except in self-defense.
3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
4. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind.
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.
9. Possessed or used tobacco, or products containing tobacco or nicotine products.
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm.
14. Committed or attempted to commit a sexual assault or committed a sexual battery.

15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
16. Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
17. Engaged in, or attempted to engage in hazing.
18. Engaged in an act of bullying.
19. Aided or abetted the infliction or attempted infliction of physical injury on another person.
20. Made terrorist threats against school officials and/or school property.

Additional grounds for suspension and expulsion for students in grades **4 through 12** include: (EC 48900.2, 48900.3, 48900.4)

1. Committed sexual harassment.
2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment.

## **2. Recommendation to Expel**

As required law, a student found to have committed any of the following acts at school or at a school activity off school grounds shall be immediately suspended and recommended for expulsion: (EC 48915(c))

- Possessing, selling, or otherwise furnishing a firearm.
- Brandishing a knife at another person.
- Unlawfully selling a controlled substance.
- Committing or attempting to commit a sexual assault or committing a sexual battery.
- Possessing an explosive.

For all other acts committed at school or at a school activity off school grounds, a student maybe recommended for expulsion based on a finding of one or both of the following: (EC 48915(b) and (e))

- Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- Due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others.

## **STUDENT FEES-EC 49013**

Students shall not be required to pay a fee, deposit, or other charge for participation in an educational activity that constitutes an integral part of the District's educational program, including curricular and extracurricular activities. SBSD shall ensure that books, materials, equipment, supplies, and other resources necessary for student participation in the district's educational program are made available to students at no cost.

As necessary, the Governing Board may approve and impose fees, deposits, and other charges which are specifically authorized by law. In determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of students' families and their ability to pay. SBSD, its schools, and programs may solicit voluntary donations or participate in fundraising activities. However, no course credit or privileges related to educational activities shall be offered or awarded to a student in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. The District also shall not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf

of the student. Any complaints of unlawful imposition of fees, deposits, or other charges will be investigated and resolved through the Uniform Complaint Procedure.

### **STUDENT WELLNESS POLICY – EC 49432**

Recognizing the link between student health and learning, SBSD has an established student wellness policy for all its schools to provide a comprehensive program that promotes healthy eating and physical activity for students. SBSD shall coordinate and align its efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a healthy school environment. Parents, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public are encouraged to participate in the development, implementation, and periodic review and update of the policy.

To review the content of the policy and any updates or to find out how to be involved with the School Wellness Council, please contact the Director of Child Nutrition Services (858) 794-7121 or the Director of Student Services 858-794-7187.

### **STUDENTS WITH TEMPORARY DISABILITIES-EC 48206.3, 48207, 48208**

*Temporary disability* means a physical, mental, or emotional disability incurred while a student is enrolled in a regular or an alternative education program, after which the student can reasonably be expected to return without special intervention. Temporary disability is not a disability for which a student is identified as an individual with exceptional needs.

A student with a temporary disability that makes school attendance impossible or inadvisable shall be entitled to receive individual instruction at home or in a hospital or other residential health facility (“qualifying hospital”), excluding state hospitals. It is the responsibility of the parent to notify the principal to discuss the request for individual instruction (also referred to as “home hospital instruction”).

### **TITLE IX: SEX EQUITY IN EDUCATION ACT EC 221.61, 221.8**

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. All students (as well as other persons) are protected by Title IX – regardless of their sex, gender, gender expression, gender identity, sexual orientation, disability, race, or national origin – in all aspects of the district’s educational programs and activities. California law further provides that students may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting students may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. The essence of Title IX is to ensure that students (as well as other persons) are not excluded, separated, denied benefits to, or otherwise treated differently on the basis of sex unless expressly authorized to do so under state or federal law in areas including, but not limited to recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment. SBSD has designated the following personnel to address questions and complaints regarding its nondiscrimination policies specific to Title IX: Director Student Services, [studentservices@sbsd.net](mailto:studentservices@sbsd.net), 858 794-7187. Any complaint alleging noncompliance with Title IX will be investigated and resolved through the Uniform Complaint Procedures. For more information regarding Title IX, please visit [www.sbsd.net](http://www.sbsd.net).

### **TYPE 1 DIABETES-EC 49452.6**

Type 1 diabetes in children is an autoimmune disease that can be fatal if untreated. A guidance and information sheet is available at [www.sbsd.net](http://www.sbsd.net).

## **UNIFORM COMPLAINT PROCEDURES-5 C.C.R. 462**

SBSD has adopted a Uniform Complaint Procedure. SBSB shall follow uniform complaint procedures when addressing complaints involving allegations of:

- Accommodations for pregnant and parenting pupils
- After-school education and safety
- Childcare and development programs
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under EC 200 and 220 and GC 11135, including any actual or perceived characteristic as set forth in Penal Code 422.55, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in EC 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance
- Every Student Succeeds Act
- Local Control Accountability Plans (LCAP)
- Matters pertaining to the rights of foster youth, homeless youth, and former juvenile court school pupils
- Migrant Education
- Physical Education Instructional Minutes
- Reasonable Accommodations to a Lactating Pupil
- School Plans for Student Achievement
- School site Councils
- State Preschool
- Student Fees
- And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate.

Information regarding the Uniform Complaint Procedure including the individual responsible for processing a Uniform Complaint can be found online at [www.sbsd.net](http://www.sbsd.net).

## **USE OF DISTRICT TECHNOLOGY**

The SBSB policy on the acceptable use of technology on school campuses and access by pupils to the Internet and on-line sites is available at [www.sbsd.net](http://www.sbsd.net).

## **USE OF MOBILE COMMUNICATION DEVICES-EC 48901.5, 48901.7**

The use of smartphones and other mobile communication devices on campus may be beneficial to student learning and well-being, but could be disruptive of the instructional program in some circumstances.

Mobile communication devices shall be turned off during instructional time. However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances:

- In the case of an emergency, or in response to a perceived threat of danger
- When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator

When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being

- When the possession or use is required by the student's individualized education program or Section 504 plan

Smartphones, smartwatches, and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person. When used in an unauthorized manner, the device may be confiscated and/or searched according to law and policy, and the student may be subject to discipline. A student may also be subject to discipline for use of a mobile communication device off

school grounds if it poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

SBSD is not responsible for the loss, theft, or damage of a student's mobile communication device and/or smartwatch which is brought onto school grounds or to a school activity.

### **WALKING OR RIDING A BIKE TO SCHOOL-VC 21212**

SBSD requests that parents or guardians of children who walk or ride their bikes to school plan a safe route to school with their children. The route shall not involve shortcuts through private property and all students are expected to exhibit good behavior. Furthermore, a student under 18 years of age may be fined for not wearing a properly fitted and fastened helmet, and the parent or legal guardian of a minor who violates this section shall be jointly and severally liable with the minor for the fine.

### **WILLIAMS COMPLAINT-EC 35186**

There should be sufficient textbooks and instructional materials that are in good and usable condition. That means each student, including an English learner, must have a textbook and/or instructional materials to use in class and to take home. School facilities must be clean, safe, and maintained in good repair so as not to pose an emergency or urgent threat to the health or safety of students or staff. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credentials to teach the class, including the certification required to teach English learners, if present.

- *Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.
- *Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

A complaint alleging that any of the above conditions are not being met shall be addressed through SBSD's Williams uniform complaint procedures as required by law. Because a complaint may be filed anonymously, the complaint form shall allow the complainant to indicate whether a response is requested – only a complainant who identifies themselves is entitled to a response. A complaint shall be filed with the principal or designee. The complaint process may be found on the District website at [www.sbsd.net](http://www.sbsd.net).