



**Beverly Hills  
Unified School District**

**CREATING A WORLD CLASS EDUCATION**

**CHILD WELFARE AND ATTENDANCE DEPARTMENT**

**NOTICE OF RIGHTS AND  
RESPONSIBILITIES OF PARENTS OF  
MINOR PUPILS**

**2011-2012**

## **NOTICE OF RIGHTS AND RESPONSIBILITIES OF PARENTS OF MINOR PUPILS**

In accordance with California Education Code 48980, the school district must notify the parent or guardian of each pupil each year of their rights and responsibilities related to school. The following is a summary of those rights and responsibilities. It is also required under California Education Code 48982 that the parent or guardian acknowledge receipt of this notice in writing. To meet this requirement, please sign the acknowledgement form sent home with your student and return it to your child's school office. (Additional forms are available on the District website at [www.bhusd.org](http://www.bhusd.org) or in your child's school office.) **Please note that this manual is periodically updated throughout the school year, it is your responsibility to be up to date with the latest policy changes.**

## **EMERGENCIES**

**Emergency Authorization** (EC 44809; CAC, Title 5, Sec.432) each year the District is required to verify the name, address and phone number of the parent and the residence of the pupil. Further, the District requires that an Emergency Authorization Card be completed annually in writing by the parent or guardian providing information regarding medical treatment in the event of an emergency. This Emergency Authorization Card when completed a) finalizes registration, b) shall indicate receipt and review of the Notice of Rights and Responsibilities of Parents of Minor Pupils by the parent or guardian, and c) shall be kept on file at the school.

## **ATTENDANCE**

**Compulsory Attendance** (EC 46010, 48200-48201, 48260-48263 and WIC 601) Parents are legally required to send their children, between the ages of 6 and 18, to school regularly and to make certain they are on time each day. Parents may be requested to appear before the School Attendance Review Board (SARB) and subsequently be referred to the District Attorney and/or Youth Services (Probation) for legal action when attendance, tardiness, and/or behavior problems occur. For additional information regarding truancy please see the District's Discipline Policy and Procedures handbook.

### **Excused Absence and Completion of Assignments** (EC48205)

a) Not withstanding Section 48200 (Compulsory Attendance) a pupil shall be excused from school when the absence is:

- 1) due to his or her illness;
- 2) due to quarantine under the direction of a county or city health officer;
- 3) for the purpose of having medical, dental, optometric, or chiropractic services rendered;
- 4) for the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California;
- 5) for the purpose of jury duty in the manner provided by law;
- 6) due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent;
- 7) for justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board;
- 8) for the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code;
- 9) for attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization.

- b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed from the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. As the teacher of any class from which a pupil is absent, (he/ she) shall determine the tests and assignments (which) are reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed when absent.
- c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- e) "Immediate family", as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil".

**Legally Excused Absences** (CAC Title 5, Sec. 420) The only legally excused absences are for illness; quarantine imposed by a public health officer; a medical, dental or optometric appointment; or funeral services of a member of the pupil's immediate family. The school must receive appropriate verification of the absence by the end of the fourth day after the student returns for it to be considered excused. Otherwise, the absence will be considered truancy. All other absences require prior permission (see above) or will be considered trancies.

**Absence for Religious Services or Instruction** (EC 46014) A parent may request that his/her child be excused from attendance for the purpose of receiving religious instruction or participating in religious services provided the request is made in writing at least one day in advance. However, the pupil must attend school for the minimum day and may be excused on no more than four days per school month.

**Absence for Confidential Medical Service.** (EC §§ 46010.1) A November 2004, California Attorney General Opinion concludes that a district may not notify a parent when a student leaves school to obtain confidential medical services, nor may a district require a student obtain written parental consent prior to releasing student from school to receive confidential medical services.

**Truancy Definitions** (EC 48260, 48262 and 48263.6)

A student is considered a truant after three absences or three more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within 48205 as describe above.

**Notice to Parent or Guardian of Pupil's Truancy** (EC48260.5) Upon a pupil's initial classification as a truant (EC 48260), the school district shall notify the pupil's parent or guardian, by first class mail or other reasonable means, of the following:

- a) that the pupil is truant;
- b) that the parent or guardian is obligated to compel the attendance of the pupil at school;
- c) that parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution;
- d) that alternative educational programs are available in the district;
- e) that the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy;
- f) that the pupil may be subject to prosecution under Section 48264;
- g) that the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege;
- h) that it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

**Arrest of Truants/School Attendance Review Boards** – EC 48260, 48262 and 48263.6

The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from his/her home and who is absent from school without valid excuse within the county, city or school district. A student who is truant may be referred to a School Attendance and Review Board (SARB).

**Alternative Attendance Areas or Programs** (EC 35160.5(b), 46600-46221, 48204(f), 48980(j)) Specific application procedures and conditions for a requested change to an alternative attendance area or program, within or outside the District, are available through the Coordinator of Child Welfare and Attendance. The options are: a) choosing a school within the district in which the parent lives (School Choice), b) requesting an interdistrict transfer to another district outside of where the parent or guardian lives, and c) requesting a transfer to another district in which the parent or guardian is employed.

**Moving Into A New District** (EC 48201) Whenever the school district accepts a transfer student, it is required to request from the district of last enrollment, any records of acts committed by the pupil that resulted in suspension or expulsion. Upon receipt of this information, the district shall inform the pupil's teacher(s) that the pupil was suspended or expelled from school and of the act(s) that resulted in that action. Any information received by the teacher relative to any suspension or expulsion shall be held in confidence for the limited purpose for which it was provided and shall not be disseminated further by the teacher.

**Homeless Youth Education- 42 US 11432**

Requires school district homeless liaisons to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children.

## **DISCIPLINE**

**Student Discipline Rules** (EC 35291, 35291.S, 35291.7 and 44307) The District's Discipline Policy and Procedures Handbook outlines rules, regulations, procedures and staff responsibilities to ensure proper student behavior and discipline, including conduct of students to and from school, on the playgrounds and during recess. This document is distributed to families of enrolled students by mail prior to the opening of school each fall and upon initial enrollment throughout the school year. Additionally, each school has adopted specific discipline rules and procedures applicable to their site, which are related to student department. It is the responsibility of the parent and school to review all of these rules with the pupils annually. Copies of the District's Discipline Policy and Procedures Handbook and the school's adopted discipline rules and procedures are available at the school sites.

**Duties of Pupils** (5 CCR §300) All students must attend school punctually and regularly; conform to school regulations; obey promptly all directions from the teachers and others in authority; be diligent in study; be respectful to teachers and others in authority; be kind and courteous to schoolmates; and refrain from use of profane and vulgar language.

### **Attendance of Suspended Child's Parent/Guardian for Part of School Day**

(EC 48900.1 and L.C. 230.7) The parent or guardian of a suspended child may be required by the school to attend his/her child's class (es) from which he/she was suspended for part of the school day. A written notice will be sent to the parent or guardian regarding implementation of this requirement. Employers are not allowed to apply sanctions against the parent for this requirement if the parent has given reasonable notice to his/her employer.

**Dress Code/ Gang Apparel** (EC 35183) Student dress and grooming should enhance comfort, provide for a feeling of individuality, and allow for pursuit of current fashions. While it is considered that formal education is a serious process, that students are in the process of securing an education, and that the atmosphere of the school should be conducive to learning, the Board of Education hopes that parental judgment and student self-discipline will result in the ultimate goal of steadily decreasing administrative control and enforcement in the areas of student dress and grooming.

### Standards in grades K-8 are as follows:

- a. Students shall wear clothes that are neat, clean, unfrayed and in good repair.
- b. Headgear, including caps, hats and/or bandanas shall not be worn on campus except for outdoor activities. This applies to both male and female students. Exceptions may be granted for religious and/or medical reasons.
- c. Students shall not be permitted to wear attire which names, advertises, or promotes products that are illegal for minors, including items related to drugs, alcohol, and tobacco.
- d. Students shall not be permitted to wear attire, which features offensive and/or vulgar words, pictures, or drawings, including naming advertising, or promoting sexually related products or activities.

- e. Students shall not be permitted to wear attire, which includes words, phrases, or pictures that are derogatory regarding a person's ethnic background, national origin, religious beliefs, gender, or disability.
- f. Students shall not wear make-up, lipstick or colored lip-gloss.
- g. Students shall not wear tops showing the mid-section of one's body, tank tops, tube tops, sheer blouses, or open backed shirts.
- h. For reasons of safety, students shall not attend school in bare feet and must wear shoes or sandals (no thongs, slippers, or "flip-flops").
- i. Student hair shall be neat, clean, and natural looking in color and style.
  
- j. Students shall not wear thick, bulky chains, inordinately long earrings, or wallet chains.
- k. Students shall not wear sagging or oversized pants or other clothing. Pants must be worn at the waist utilizing belts as needed. Belts may not hang down.
- l. The principal and staff of each school may establish reasonable additional regulations regarding student appearance and attire to be required of students.
- m. Students may use sunscreen during the school day, without a physician's note or prescription.

Parents may be called if standards are not met and students may be required to return home to change into more suitable attire.

Standards at the high school are as follows:

- a. Student dress and grooming for daily school attendance should meet the minimum legal requirements concerning footwear, cleanliness, health, and exposure.
- b. Students shall not wear attire, which suggests gang affiliation or has inappropriate logos.
- c. Students shall not wear clothes allowing bare midriffs, spaghetti-straps, slip dresses, halter tops, tank tops, oversized baggy pants, wallet chains that hang from pants, stocking caps, bandanas, or hanging belts.
- d. Students shall project a business-like manner in their attire.
- e. Appropriate school dress is the only acceptable attire for after school events.
- f. Students may use sunscreen during the school day, without a physician's note.

Parents may be called if standards are not met and students may be required to return home to change into more suitable attire.

**Sexual Harassment and Sexual Discrimination** (EC 231.5, 48980(g) and Board Policy 4119.11 and 5047) The District shall not tolerate any form of sexual harassment or sexual discrimination in the schools or at the workplace, in any form, including acts of students. Disciplinary action will be taken promptly against any employee, supervisory or otherwise, or student engaging in unlawful sexual harassment or sexual discrimination. A copy of these policies is available at each school and at the District Office, and is a part of all new student orientations. Students or staff should immediately report incidences of sexual harassment or sexual discrimination to the principal or designee, supervisor or the Assistant Superintendent, Human Resources, to receive information on the District's

Sexual Harassment and Sexual Discrimination Complaint Procedures. The Title IX Coordinator for issues that do not involve employees is Ilene Straus Ed.D., Assistant Superintendent, and Educational Services K-12.

**Surveys (EC 51513)**

Prohibits the use of tests, questionnaires, surveys or examinations containing any questions about the pupil's personal beliefs in sex, family life, morality, and religion, unless the parent or guardian is notified in writing that the test, questionnaire, survey, or examination is to be administered and the parent or guardian consents in writing.

**Dangerous Objects:**

**Laser Pointers: Prohibition on Sales, Possession and/or Use (PC 417.27)**

No student is permitted to possess a laser pointer on any elementary or secondary school campus unless the possession is for a valid instructional or other school-related purpose. Further, no person shall point the beam from a laser pointer directly or indirectly into the eyes of another person or into a moving vehicle or into the eyes of a guide dog or dog being used by a peace officer.

**Imitation Firearm- (PC 12550, 12556)**

A BB device can be considered an imitation firearm. The Penal Code makes it a criminal offense to openly display or expose any imitation firearm in a public place, including a public school.

**Electronic Signaling Device- (EC 48901.5)**

A school district, or its individual schools, may regulate the rights of pupils to possess or use electronic signaling devices, including cell phones and pagers, during the school day or at school functions.

**Suspension and Expulsion: Request for Pupil Records (EC 48201)** See "Moving Into a New District" under the section for Attendance.

**Notification to Teacher of Violent Acts (EC 49079)** The district shall inform the teacher of each pupil who has engaged in or is reasonably suspected to have engaged in acts of Sexual Harassment (EC 48900.2); Hate Violence (EC 48900.3); Harassment, Threats, or Intimidation (EC 48900.4); or Terrorist Threats against School Officials, School Property or both (EC 48900.7). The information provided will be based upon any records usually kept by the district or that are received from a law enforcement agency, regarding the pupil. The information shall be held in confidence by the teacher for the limited purpose for which it is provided.

**Imitation Firearms.** (PC § § 12550, 12556) Adds § 12550 to include BB device within definition of imitation firearm. Add § 12556 to make it a criminal offense to openly

display or expose any imitation firearm in a public place. Changes effective September 20, 2004. (Added by SB 1858, Ch. 607, Statutes of 2004).

**Hazing** (SB 1454, Chapter 601, Statutes of 2006). Amends CEC § 48900, governing suspension and expulsion, to define hazing by reference to Penal Code § 245.6 which states, “‘Hazing’ means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term “hazing” does not include customary athletic events or school-sanctioned events.”

## **HEALTH REQUIREMENTS**

**Immunization Requirement** (EC 49403 and 48216, HSC 120335, 120365, and 120370) Requires the school district exclude any pupil not properly immunized and to notify the parent or guardian that they have two weeks to supply evidence that the pupil has been properly immunized or that the pupil is exempt from the immunization requirements as specified in HSC 120365 or 120370. Notification to also refer the parent or guardian to usual sources of medical care to obtain the immunization(s).

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

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

- (a) All new students to the Beverly Hills Unified School District must provide proof of polio, diphtheria, pertussis, tetanus, measles, mumps, and rubella immunizations.
- (b) All Kindergarten students must also provide proof of vaccination against hepatitis B and Vercelli (chickenpox).
- (c) All seventh grade students must also provide proof of a second measles, mumps, and rubella vaccination
- (d) All seventh through twelve grade students must also provide proof of pertussis booster.**
- (e) A tuberculosis skin test (Mantoux) is required for all kindergarten students and all new students who have never attended a California school.

**Hearing and Vision Screening** (EC 49452) The District must provide testing of the sight and hearing of each enrolled pupil. Vision tests, which include acuity and color blindness, must be given upon first enrollment in school and at least every third year thereafter

through eighth grade. Hearing testing is conducted upon first enrollment and at least every third year thereafter through high school.

**Health Screening and Evaluation** (HSC 124100 & 124105) State law requires that the parent or legal guardian of each pupil provide the school documentary proof that the pupil has received a health screening examination by a doctor within 90 days after entrance to first grade. Pupils may be excluded for up to 5 days from school for failing to comply or not providing a waiver. A free health screening is available through the Los Angeles County Health Department.

**Oral Health Assessment** (AB 1433, Chapter 413, Statutes of 2006). Adds CEC § 4945.2 Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31<sup>st</sup> of the pupil's first school year.

**Administration of Prescribed Medication for Students** (EC 49423) Students who must take physician-prescribed medication at school may be assisted by the school nurse or other designated personnel if the school receives the following: a) a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken, and b) a written statement from the parent or guardian asking school personnel to assist in administering the medication as set forth in the physician's statement. Forms for this information are available at your child's school.

**Continuing Student Medication** (EC 49480) Parents of a pupil on a continuing medication regimen for a non-contagious condition, shall inform the school of the medication being taken, the current dosage, and the name of the supervising physician. With parent or legal guardian consent, the school nurse may communicate with the physician to determine possible effects of the medication on the pupil's behavior and symptoms of any adverse side effects.

**Administration of Prescribed Medication for Pupils** – EC 49423 and 49423.1

Any pupil who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer auto-injectible epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken.

**Guidelines from the California Department of Education when Children need medication at school**

1. Talk to your child's doctor about making a medicine schedule so that your child does not have to take medicine while at school.
2. If your child is regularly taking medicine for an ongoing health problem, even if he or she only takes the medicine at home, give a written note to the school nurse or other

designated school employee at the beginning of each school year. You must list the medicine being taken, the current amount taken, and the name of the doctor who prescribed it (EC 49480).

3. If your child must take medicine while at school, give the school a written note from you and a written note from your child's doctor or other health care provider, ***who is licensed to practice in California***. Provide new, updated notes at the beginning of each school year and whenever there is any change in the medicine, instruction or doctor (EC 49423).

4. As parent or guardian, you must supply the school with all medicine your child must take during the school day. You or another adult must deliver the medicine to school, except medicine your child is authorized to carry and take by him or herself.

5. All controlled medicine, like Ritalin, must be counted and recorded on a medicine log when delivered to the school. You or another adult who delivered the medicine should verify the count by signing the log.

6. Each medicine your child must be given at school must be in a separate container labeled by a pharmacist licensed in the United States. The container must list your child's name, doctor's name, name of the medicine and instructions for when to take the medicine and how much to take.

7. Pick up all discontinued, outdated, and /or unused medicine before the end of the school year.

8. Know and follow the medicine policy of your child's school.

**Infectious, Contagious Diseases and Filthy or Vicious Habits** (EC 48211, 48213, 5 CCR 202) Pupils with vicious or filthy habits may be excluded from school. Students who are suffering from contagious or infectious diseases, or who's continued presence in school constitutes a clear and present danger to the life, safety or health of pupils or school personnel shall be excluded from school. The parents shall be notified of the exclusion immediately or as soon as is reasonably possible after the exclusion.

## **OTHER HEALTH RELATED AREAS**

**Medical and Hospital Services for Students** (EC 49472) The parent may elect to purchase insurance available to pupils for medical and hospital services needed for student injuries while involved in school-related activities. No pupil shall be required to purchase such insurance without his/her consent, or if a minor, without the consent of the parent.

**Insurance for Athletic Teams** (AB 2684, Chapter 108, Statutes of 2006). Adds CEC § 32221.5 to require school districts that operate interscholastic athletic teams to include a statement regarding no-cost or low-cost health insurance programs in offers of insurance coverage that are sent to athletic team members.

**Physical Examination** (EC 49451) A parent or guardian may file annually with the school's principal a written statement that he/she will not consent to a physical examination of his/her child. Thereupon the child shall be exempt from any physical examination. However, a pupil shall be sent home if, for good reason, it is believed

he/she is suffering from a recognized contagious or infectious disease and shall not be permitted to return until school authorities are satisfied the contagious or infectious condition no longer exists.

**Medical Services Information** (EC 46010.1) The law requires that pupils in grades 7 through 12 and all parents be informed that school district authorities may be permitted to excuse pupils in grades 7 through 12 to obtain confidential medical services without the consent of the parent.

**Asbestos Management Plan** (40 CFR §763.93) The District maintains and annually updates its management plan for asbestos-containing material in school buildings.

**Notification of Use of Pesticide Products** (EC 17612 and 48980.3) The law requires that the school district provide to all staff and parents or guardians of pupils at a school site a written notification of the name of all pesticide products expected to be applied at the school facility during the upcoming year. The notification shall identify the active ingredient or ingredients in each pesticide product and contain the Internet access address on information about pesticides and pesticide use reduction as found Section 13184 of the Food and Agricultural Code. EC § 17610.1 added in 2005 to prohibit application of certain pesticides on school sites. (AB 405, Ch. 566, Statutes of 2005).

## **SCHOOL ACCOUNTABILITY REPORT CARD**

**School Accountability Report Card (SARC)** (EC 33126(c), 35256, 35258) The SARC is published annually for the purpose of providing data by which parents can make meaningful comparisons between public schools, enabling them to make informed decisions about the enrollment of their children. Content of report card defined under EC § 33126, amended for 2006-2007, to include revised estimated expenditures per pupil and types of services funded, e.g., personnel salaries; schools identified by governing board as having insufficient textbooks or instructional materials including percentage of pupils lacking sufficient standards-aligned textbooks or instructional materials by subject area; and career technical education data measures, as specified. A copy of the SARC is available for review at the District Office and on the Internet. Every effort is made to provide a copy annually to all parents at each site. However, copies will be provided to parents upon request. Upon request, additional copies are available to interested community members for a predetermined fee. The content of the report card defined under EC § 33126, as amended, must include misassignments of teachers, number of vacant teacher positions, availability of sufficient textbooks and other instructional materials, and needed maintenance to ensure good repair of facilities. (EC § 33126 amended by SB 1108, Ch 22, AB 1609, Ch 354, and SB 687, Ch. 358, Statutes of 2005).

**Availability of Prospectus** (EC 49063 and 49091.14)

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional aims of every course offered by the school.

## **SPECIAL EDUCATION**

**Special Education Programs** (EC 56301, 56306, 56329, 56380, 56506 and IDEA) Federal law requires that a free and appropriate education shall be offered in the least restrictive environment to all students identified as handicapped. This right applies to students eligible for Special Education services as defined under the Individuals with Disabilities Education Act (IDEA). Through the district's Student Study Team process and other procedures, a continuous effort is made to locate and identify individuals who might qualify for special education services, including children with disabilities who are homeless or wards of the state. The law also provides that parents may initiate a request to have their child assessed to determine eligibility for Special Education and/or related services. The request shall be in writing and may be submitted to the assistant principal at the child's school site. Further, the parent(s) may expect his/her rights to be written in understandable language, will be asked to give written consent before any assessments are conducted, is entitled to receive a copy of the assessment results and the documentation of determination of eligibility upon request, shall participate in the development of an individualized education program for their child, and will give written consent before their child is placed for services. If the pupil is identified as handicapped, then a meeting will be held annually to review his/her progress. Further and more specific information about parent rights, due process, specific procedures, and the assessment plan are available under a separate document, which may be obtained from the District's Department of Special Education. (Amended by AB 1662, Ch. 653 and Statutes of 2005).

**Special Education Students Reaching Age 18** (EC 56345 (a)(8) Beginning at least one year prior to a special education pupil reaching the age of 18, he/she is to be informed of their rights, which will be transferred to them upon reaching the age of 18. This information is also contained within the individualized education program.

**Special Education Complaints** (CAC 3125) The parent may file a complaint with the State Department of Public Instruction if he/she feels there has been a violation of the Special Education laws. The complaint may be filed with the District Superintendent.

## **HANDICAPPED STUDENTS**

**Handicapped Pupils, Section 504 of the Rehabilitation Act of 1973** Discrimination on the basis of race, color, national origin, sex, handicap, or lack of English skills shall not be permitted. Incidents of disability based discrimination and harassment should be reported to school site administration and/or the District 504 Coordinator, Toni Staser, at (310) 551-5100 ext. 2250. Reasonable accommodation to assist handicapped pupils under this section may be provided through a Section 504 Service Plan developed at the school. For additional information see the District's Section 504 handbook available on the District website at [www.bhusd.org](http://www.bhusd.org) or at school offices.

## **PUPIL RECORDS**

**Review of and Access to Pupil Records** (34 CFR Part 99, EC 48980, 49063, 49068, 49069, 49070, 49073, 49076, 5 CCR §431 [e] and Board Policy 5020) Under the Family Educational Rights and Privacy Act (FERPA) of 1974 and state legislation, parents of currently enrolled pupils or former pupils attending a postsecondary education program under the age of 18 or current pupils 18 or older, have a right to inspect and review any and all records related to the student. These rights include the following:

- a. The right to inspect and review during regular school hours within five business days of the day the District receives a request for access. The parent or eligible student should submit to the school principal or certificated designee or District custodian of records a written request that identifies the record(s) they wish to review. The principal or designee will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. The parent or eligible student can request information about the location(s) of where the student's records are kept. Copies of records may be made available for a predetermined fee.
- b. The right to request that the school/district correct records believed to be inaccurate or misleading. The parent or eligible student should put the request in writing to the principal/certificated designee of the school or district Custodian of Records, and clearly identify the part of the record they want changed, and why it is inaccurate or misleading. If the District decides not to amend the record, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- c. The right to give consent to disclosures of any information in the student's records, except to the extent that FERPA allows for disclosure without consent from the parent or eligible student.

School/ District officials and employees, and members of the School Attendance Review Board have access to the records provided they have a legitimate educational interest in the pupil. A school/ district official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (e.g. nurse, health clerk, psychologist, speech/ language specialist; a person/company with whom the District has contracted to perform a special task (auditor, therapist, attorney); or members of the School Attendance Review Board. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. In accordance with Board Policy release of directory information regarding pupils is the parent/guardian has specifically denied permission in writing.

- d. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA The name and address of the Office that administers FERPA are: Family Policy Compliance

Office, U.S. Department of Education, and 400 Maryland Avenue. S.W., Washington, D.C. 20202-4605.

Further information may be obtained from the Beverly Hills Unified School District's Custodian of Records.

## **SCHOOL LUNCHES**

**Free and Reduced Price School Lunches** (EC 49500) Free or reduced price lunches are available at school for pupils whose parents or guardians qualify and complete the required application form.

## **FAMILY LIFE**

**Health Education and AIDS Prevention Instruction** (EC 51938, EC 51201.5 (d), 51240, 51554, 51555 and WIC 18976.5).

Whenever any part of health, family life education, and sex education classes conflicts with the religious training or beliefs of the parents or guardian the pupil shall be excused from that part of the instruction, including AIDS prevention instruction, when the parent or guardian requests it in writing. Written notice explaining the purpose of the required AIDS prevention instruction and information stating the parent or guardian's right to request a copy of EC51201.5 and 51553, related to AIDS prevention instruction, will be provided to the parent or guardian of each pupil in grades 7 to 12 at the beginning of each year or upon new enrollment. This notice shall further specify that any parent may request that his/her child not receive AIDS prevention instruction. Further, before a pupil enrolled in kindergarten or grades 1 to 6 receives instruction on sexually transmitted diseases, AIDS, human sexuality, or family life, written notification shall be provided to the parent or guardian stating that instruction will be given and that the parent or guardian has the right to request a copy of Sections 51201.5 and 51553, related to AIDS prevention instruction. This applies whether the instruction is provided by a teacher employed by the district or in any setting by an outside agency or guest speaker unless the pupil's parents have been properly notified as specified.

**Sex Education Classes** (EC 51550) Parents will be notified in writing prior to any instruction or class or portion of a class being conducted in which human reproductive organs and their functions or processes are described, illustrated, or discussed. The parent or guardian will be notified in writing of the opportunity to review any written or audiovisual materials used in the instruction, at reasonable times and places, prior to holding the class. Parents may request in writing that their child not attend the instruction or class. This section does not apply to words or pictures in any textbook, adopted pursuant to law, on physiology, biology, zoology, general science, personal hygiene or health.

**Surrender of Baby** (EC 51553) All public schools that teach sex education courses shall include the provisions of section 1255.7 of the Health and Safety Code and section 271.5

of the Penal Code, relating to parents and others who voluntarily surrender physical custody of a baby 72 hours old or younger at a hospital or other designated place.

**Child Abuse Prevention Program** Parents have the right to refuse to allow their child to participate in any child abuse prevention program that is offered.

**Foster Pupils** EC §§ 48850 et seq. Requires district's educational liaison to ensure pupils in foster care receive stable school placements which are in the best interests of the child, placement in least restrictive educational programs, access to academic resources, services, and extracurricular and enrichment activities available to all pupils, full and partial credits for coursework taken, and meaningful opportunity to meet state pupil academic achievement standards. *Annual notification recommended.*

## **CAREER COUNSELING**

**Sexual Bias** (EC 221.5) Students may select and attend classes commencing in grade 7, including nonacademic and electives, without regard to sex and are to be counseled toward career choices based on interest and ability and not sex. Additionally, parents may participate in counseling sessions and decisions regarding their child.

## **COUNSELING**

**Annual Notification, Counseling** (EC 51229) requires school districts to provide annual notification to parents or guardians of students in grades 9 to 12 that explains college admission requirements, describes career technical education, and provides information about how students may meet with school counselors. To view this notice titled Annual Notification, Counseling, see BHHS website or visit school counseling office.

## **SUBSTANCE ABUSE AND TOBACCO USE**

**Instruction on Substance Abuse and Tobacco Use** (EC 51260) A program of instruction will be provided at the elementary and secondary levels on drug, alcohol and tobacco use education. The effects of the use of tobacco, alcohol, narcotics, dangerous drugs and other dangerous substances will be presented and discussed. Developing a healthy "life style" without use, coping strategies for quitting, and refusal skills for prevention will also be explored.

**Tobacco Free Campus.** (HSC § 104495) Smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground, except on a public sidewalk located within 25 feet of the playground is prohibited. (Amended by AB 1867, Ch. 527, Statutes of 2003).

## **INSTRUCTION/USE OF ANIMALS**

**Refrain from the Harmful or Destructive Use of Animals** (EC 32255 et seq.) Students and parents are to be informed by teachers a) that live or dead animals or animal parts will be used in a course of study and b) of the students' right to refrain from participation. Should students choose to refrain from participation in the use of animals, then teachers may work with the students to develop alternative education projects, which require a comparable time-effort investment, or the students may be excused from that project. Further, students shall pass all examinations related to the course of study in order to receive full credit. However, an alternative test(s) may be provided if the usual, test(s) require the harmful or destructive use of animals. Parents must substantiate student's objections with written notes before an alternative plan can be developed.

## **ALTERNATIVE SCHOOLS**

**Notice of Alternative Schools** (EC 58501) California State law authorizes all school districts to provide alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designated 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 students learn because of their desire to learn;
- c) maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally independently or 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, pupil or teacher is interested in additional 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. Further, a copy shall be posted in at least two places normally visible to pupil, teachers, and visiting parents in each attendance unit for the entire month of March in each year. The District Office has copies of the law regarding alternative schools for your information.

**Intra-district Transfer** (EC 35160.5(b)) Students are expected to attend the school serving the attendance zone in which they reside. However, parents residing in the district

may choose a different school within the district, providing Board established rules and procedures are followed to request the change, space is available and/or verifiable special circumstances exist. Information on each school within the District is provided on the District website. Transportation to any other school is the responsibility of the parent. Applications materials will be available by January 1<sup>st</sup> and must be received by May 16<sup>th</sup>. For further information please contact the Child Welfare and Attendance Office at 310.551.5100 ext. 2250.

**Inter-district Transfer (EC 46600)** It is expected that students will attend the school district serving the attendance zone in which they reside. The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other district. However, Districts may enter into an agreement, which specifies terms, and conditions under which transfers are permitted and may contain standard of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an inter-district transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled, as long as the conditions stated are maintained; and as long as the student's attendance, behavior and academic performance are satisfactory to the school of attendance. Failure to adhere to the terms/ conditions set forth may result in a revocation of the permit prior to the conclusion of the school year. School districts are encouraged to consider child care needs when reviewing a permit request.

Open Enrollment Act – EC 48350 et seq.

Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may seek to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. Parents of high school athletes should check on CIF sports eligibility rules before pursuing a transfer under this option. Transportation to any other school is the responsibility of the parent. School districts are allowed to adopt specific, written standards for acceptance and rejection of application as long as students are selected through a “random and unbiased” process. Unless the school board waives the deadline, request for transfers are to be submitted by January 1<sup>st</sup> of the prior school year. To apply, parent must directly contact the school district to which they seek to transfer their student. The Open Enrollment List can be found on the California Department of Education website at <http://www.cde.ca.gov/sp/eo/op/>.

**Parental Employment in Lieu of Residency Transfers (Allen Bill Transfer) (EC 48204(f) and EC 48980(i)** Provides that school districts may admit an elementary student to its schools whose parent(s) or guardian is employed within the boundaries of the district. The District does not currently offer this statutory attendance option.

## **PROMOTION/ RETENTION**

**Promotion/ Retention of Pupils** (EC 48070.5 (e) and Board Policy 5048) Students who are not making reasonable academic progress, as measured by appropriate skill acquisition for that grade level or by achieving at a rate at least equal to the previous year's progress shall be retained. Students participating in categorical programs designed to accommodate specialized needs e.g. those 1) identified as handicapped and placed in Special Education, or 2) designated as Non-English Proficient (NEP), will not be retained. Parents will be notified as soon as possible when a student is identified as being at risk of being retained at the end of the school year. Parents will be notified of the before school, after school, and/or summer academic prevention/intervention opportunities available for their child. More specific information is available from the school.

## **HIGH SCHOOL EXIT EXAM**

**High School Graduation Requirements** (EC 48980(e), 60850 and 60851) Beginning with the 2005-06 school year, and each year thereafter, each pupil completing 12<sup>th</sup> grade must successfully pass the California High School Exit Examination (CAHSEE) as a condition for receiving a diploma of graduation or graduation from high school. Each pupil must also meet the district's course and credit requirements in order to receive a diploma of graduation. Pupils will have eight opportunities to pass both parts of the exam; one in grade 10, three in grade 11, three in grade 12 and one after their class has graduated. All exam dates scheduled are designated for each year by the State Superintendent of Public Instruction. The district's schedule of exams and requirements are available in the high school office. A pupil with an Individualized Educational Plan (IEP) or Section 504 Plan may take the CAHSEE with accommodations that do not fundamentally alter the nature of the test. For more information, visit: [http://www.cde.ca.gov/ta/tg/hs/documents/cahseequ08\\_003.doc](http://www.cde.ca.gov/ta/tg/hs/documents/cahseequ08_003.doc).

## **ADVANCED PLACEMENT EXAMINATION**

**Availability of State Funds to Cover Cost of Fees of Exam** (EC § 52244 and EC § 48980(k)) Pupils enrolled in at least one Advanced Placement class and who qualify as economically disadvantaged, may apply for assistance to cover the cost of advanced placement examination fees. Pupils should contact the counselor at the school for specific information.

## **TEMPORARY DISABILITIES**

**Temporary Disabilities Individual Instruction** (EC 48206.3, 48207 and 48208) A student who is unable to attend regular day classes due to a temporary disability that places him/her in a residential health facility shall receive individual instruction by the district in which the child is temporarily residing. The location of the hospital or health facility is considered the child's place of residence during his/her stay there. Parents are responsible to notify the District where the child is temporarily residing of his/her presence.

**Independent Home/Hospital Instruction for Pupils with Temporary Disabilities** (EC 48206.3 and EC 48980 (b)) Home teaching ("individual instruction") shall be provided to students with a temporary disabilities which makes attendance in the regular day classes or alternative education program in which pupils are enrolled impossible or inadvisable. The services shall be provided to pupils who are predicted to be absent in excess of ten consecutive instructional days. The amount and duration of home teaching services will be developed and documented based upon the individual educational needs of the student.

## **SAFETY**

**Comprehensive School Safety Plan: Annual Notice** (EC 35294.6) Each school in the district is required to have a School Safety Plan that is reviewed and updated by the school site council or school safety planning committee. Effective July 2000, and each year thereafter, each school shall report the status of its Safety Plan, including a description of its key elements in the School Accountability Report Card (SARC) made available to all parents. The plan will include information such as specific rules and regulations regarding student discipline, disaster procedures, child abuse reporting procedures, and other policies.

**School Buses: Passenger Safety** (EC 39831.5) Upon registration, parents or guardians of pupils not previously transported in a school bus in grades pre-kindergarten, kindergarten and grades 1-6, inclusive, shall be provided with written information regarding school bus safety as specified.

**Megan's Law, Release of Sex Offenders Information** Penal Code § 290.4 requires Department of Justice to operate service where members of public may provide list of six persons on approved form and inquire whether any of the persons is required to register as sex offender and is subject to public notification. Under § 290.4, the Department shall also make information about certain sex offenders available to public via Internet. (Penal Code § 290.4 amended by AB 1323, Ch. 722, Statutes of 2005).

**Persistently Dangerous School, Victim of Violent Criminal Offense, Option to Transfer** NCLB requires district that has school identified as persistently dangerous to notify parents of each pupil attending school of the identification and offer pupils option to transfer to a safe school within the district. Notification regarding status of school and offer to transfer may be made simultaneously. Notification to be timely, e.g., within ten

school days from date district learns school has been identified as persistently dangerous. Under 5 CCR § 11992, persistently dangerous defined as specified sum of firearm violations by non- pupils on school grounds or during school sponsored activities plus expulsions for certain violations of EC § 48915 (a) and (c) and § 48900.3 over course of three school years. Option to transfer to safe school within district must also be made to pupils who become victim of violent criminal offense at school pupil attends. Offer to transfer should occur within 14 calendar days. (5 CCR § 11992 added by Register 2005, No. 25).

## **FREEDOM FROM DISCRIMINATION**

**Freedom from Discrimination** (Title VI, Civil Rights Act of 1964 & Title IX, Educational Amendment Act of 1972; Rehabilitation Act of 1973, Section 504). Beverly Hills Unified School District does not discriminate on the basis of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability or lack of English skills (T5CCR4610 (c)) (EC 200) (Penal Code 422.6). The District is committed to equal opportunities in employment, employee relations and educational programs. Reasonable accommodations for handicapped students are available. A formal complaint may be initiated at the school or by directly contacting the District Title IX Coordinator, who is the Assistant Superintendent – Human Resources, for the uniform complaint form.

## **COMPLAINTS**

**Supplemental Uniform Complaint Procedure (Williams).** (EC § 35186) The District has established policies and procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or misassignment. Content of classroom notice amended to require mention that there should be no teacher vacancies or misassignments, as defined. The District uses Uniform Complaint Procedures (5 CCR §§ 4600 *et seq.*) to identify and resolve complaints regarding those issues within a specific timeline for investigation and resolution of complaints. (EC § 35186 amended by AB 831, Ch. 118, Statutes of 2005).

**Complaints Regarding Categorical or Special Programs** (5 CCR § 4622) The District has established Uniform Complaint Procedures to resolve alleged acts of discrimination on the basis of ethnic group identification, religion, age, sex, color, and physical or mental disability which apply to all State and Federally funded programs. These uniform procedures require the complainant to submit a written complaint to the Assistant Superintendent, Human Resources, who will coordinate an investigation and response within 60 days of receipt of the written complaint. A complainant may appeal the District's decision to the California Department of Education by filing a written appeal within 15 days after receiving the District's decision. If a district is found to have violated a State or Federal law and/or regulation, and the district does not take corrective action to comply, then various civil remedies may be available. Contact the Assistant Superintendent, Human Resources for additional information or assistance.

## **MINIMUM DAYS / PUPIL-FREE STAFF DEVELOPMENT DAYS**

**Notification of Minimum Days and Pupil-Free Staff Development Days** (EC 48980 (c)) The Board adopted calendar provides for a minimum of 180 instructional days for students, including scheduled minimum days at the elementary level for parent conferences. Any pupil free Staff Development days for teachers will be provided outside of those 180 instructional days. While changes to the calendar are not anticipated, parents/guardians will be notified as early as possible but no later than one month prior to the scheduled change. The school calendar may be found on the Internet and will be available at each site and district office.

**PUPIL ACCESS TO INTERNET AND ON-LINE SITES Electronic Communication Acceptable Use** (EC 51870.5; 48980(i) and Board Policy 6163.4) The Governing Board intends that technological resources provided by the district be used in a responsible and proper manner in support of the instructional program and for the advancement of student learning.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers and consequences for unauthorized use and/or unlawful activities.

The Board desires to protect students from access to harmful matter on the Internet or other online services. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students when using electronic mail, chat rooms, and other forms of direct electronic communication.

Disclosure, use and dissemination of personal identification information regarding students are prohibited.

Staff shall supervise students while they are using online services.

Before using the district's online resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Policy Form, specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree not to hold the district responsible and shall agree to indemnify and hold harmless the district and all district personnel for the failure of any technology protection measures, violations of copyright restrictions, users' mistakes or negligence, or any costs incurred by users.

In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee shall review this policy regularly, the accompanying administrative regulation and other procedures. He/she shall also monitor the district's filtering software to help ensure its effectiveness.

### **Instruction**

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources receive training in their proper and appropriate use. At the beginning of each school year, parents/guardians shall receive a copy of the district's policy and administrative regulation regarding student access to the Internet and online sites (Education Code 48980).

### **Online/Internet Services: User Obligations and Responsibilities**

Students are authorized to use district equipment to access the Internet or online services in accordance with user obligations and responsibilities specified below and in accordance with Governing Board policy and the district's Acceptable Use Policy.

- a. The student, in whose name an online services account is issued, is responsible for its proper use at all times. Students shall keep personal account numbers, home addresses and telephone numbers private. They shall use the system only under their own account number.
- b. Students shall use the district's system responsibly and primarily for educational purposes.
- c. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion, or political beliefs  
Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, and appeals to the prurient interest and is matter which depicts or describes in a patently offensive way, sexual conduct, and which lacks serious literary, artistic, political, or scientific value for minors.
- d. Students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct communication. Students are also cautioned not to disclose such information by other means to individuals located through the Internet without the permission of their parents/guardians. Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.
- e. Students shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy.
- f. Copyrighted material shall not be placed on the system without the author's permission. Students may download copyrighted material for their own use only.
- g. Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking".

- h. Students shall not read other users' electronic mail or files. They shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify or forge other users' mail.
- i. Students shall report any security problem or misuse of the services to the teacher or principal.
- j. The principal or designee shall make all decisions regarding whether or not a student has violated Board policy or the district's Acceptable Use Policy. The decision of the principal or designee shall be final.

Inappropriate use shall result in cancellation of the student's user privileges, disciplinary action and/or legal action in accordance with law and Board policy.

**DIRECTORY INFORMATION** -“Directory Information” includes one or more of the following items: student's name, address, telephone number, date and place of birth, weight and height of members of athletic teams, dates of attendance, and the most recent public or private school attended by the student. Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to deny access to his/her pupil's directory information.



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# Beverly Hills Unified School District

CREATING A WORLD CLASS EDUCATION

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**2011 - 2012**