



## Parent/Guardian and Student Legal Rights

**You must acknowledge you have read this statement of your rights by signing and returning the Parent/Student Consent form located on the last page of this booklet to the school office.**

State and Federal law requires school districts to notify pupils, parents and guardians of minor pupils of parental rights. This law requires the parents or guardians to sign a notification form and return it to school. The signature is an acknowledgment that the parents or guardians have been informed of their rights but does not indicate that consent to participate in any particular program has been either given or withheld. This notification form will be sent home with students on the first day of school.

Some legislation requires additional notification to the parents or guardians during the school term or at least 15 days prior to a specific activity. (A separate letter will be sent to parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are spelled out in this article.

The following rights, responsibilities, and protections are provided (when used in this notification, “parent” includes a parent or legal guardian).

### PROCEDURES -

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

**Open campus:** The governing Board of the Paradise Unified School District, pursuant to §44808.5 of the Education Code, has decided to permit the pupils who are enrolled in grades 11 or 12 at Paradise High School to leave the school grounds during the lunch period. The governing Board establishes an open period at Ridgeview High School during the lunch period, 11:45 a.m. – 12:20 p.m.

**Visitors at school:** Paradise Unified School District encourages parents/guardians to visit our schools. To ensure the safety and wellbeing of all students and staff and to avoid potential disruptions, visitors must sign in at the school office. To ensure minimum interruption of the instructional program, arrangements for visiting any classroom should be made in advance and at the discretion of the teacher and/or administration. If a parent conference is desired, teachers will be happy to schedule an appointment during non-instructional time.

### RIGHTS –

**Safe Schools:** Students who attend a persistently dangerous school and students who are victims of a violent criminal offense, while in or on the grounds of a public school, are allowed to transfer to a safe public school.

**Sex offender information:** The district works with local law enforcement agencies to receive information about registered sex offenders who may reside or work within district boundaries. It is law enforcement’s responsibility to assess the relative danger of an offender and to notify the public upon determination of a risk. Parents/guardians may contact law enforcement for additional information when notification is made. If law enforcement notifies the district of the presence of either a “high risk” or “serious” sex offender in the community, the district may initiate notification to parents/guardians about the presence of the sex offender. This notification shall consist of the distribution of the written materials provided by law enforcement in the geographic areas recommended by them. Notification shall be by means of school newsletters.

**Uniform complaint procedures:** The district is primarily responsible for compliance with State and Federal regulations and to establish procedures to deal with complaints alleging unlawful discrimination or failure to comply with State or Federal law in programs such as adult education, categorical aid programs, career technical education, child care/development programs, child nutrition programs and special education programs. The district will follow uniform complaint procedures when addressing complaints in any of these areas. If you believe the district has violated State or Federal law in any of these areas, you may file a written complaint. The complainant has the right to appeal the district’s decision to the CA Department of education by filing a written appeal within 15 days of receiving the district’s decision. Civil law remedies may be available under state or federal discrimination laws, if applicable. A complainant may pursue available civil law remedies outside of the district’s complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. Copies of uniform complaint procedures are available from your site principal or the district office free of charge. The Director of Human Resources is the PUSD compliance officer.

**Discrimination:** The district has a policy of nondiscrimination on the basis of sex, race, color or national origin or lack of English skills. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with Federal law, complaints alleging non-compliance with this policy should be directed to the school principal. Appeals may be made to the Assistant Superintendent of Human Resources (the District’s Title IX Coordinator) at 6696 Clark Road, Paradise, CA 95969; (530) 872-6400.

**Teacher qualifications:** Parents have the right to request information regarding the professional qualifications of their child's teacher, including whether the teacher has met State credential criteria for grade level and subject matter taught, whether the teacher is teaching under emergency or other provisional status, the baccalaureate degree major of the teacher and any other graduate certification or degree held and whether the child is provided services by paraprofessionals, and if so, their qualifications.

**Access to records:** The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age certain rights with respect to the student's education records. These rights are:

- 1) The right to inspect and review the student's education records within 45 days of the day the school receives a request for access – Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- 2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate – Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school 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.
- 3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

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 School discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school 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  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

In addition, parents or eligible students may receive a copy of any information in the records at reasonable cost per page. District policies and procedures relating to location of, and types of, records; kinds of information retained; persons responsible for records; directory information; access by other persons; review; and challenge of records are available through the principal in each school. When a student moves to a new district, records will be forwarded upon the request of the new school district.

**Privacy:** If you believe the District is not in compliance with Federal regulations regarding privacy, you may file a complaint with the United States Secretary of Education (see address above).

**Student directory information:** The District also makes student directory information available in accordance with State and Federal laws. This means that each student's name, birthdate, birthplace, address, telephone number, major course of study, participation in school activities, dates of attendance, awards and previous school attendance may be released in accordance with board policy. In addition, height and weight of athletes may be made available. Appropriate directory information may be provided to any agency, including military recruiters, or person except private, profit-making organizations (other than employers, potential employers or news media). Names and addresses of seniors or terminating students may be given to public or private schools and colleges.

**Right to refuse release of information:** Upon written request from the parent of a student age 17 or younger, the district will withhold directory information about the student. If the student is 18 or older or enrolled in an institution of postsecondary instruction and makes written request, the pupil's request to deny access to directory information will be honored. Requests must be submitted to the school office within 15 calendar days of the receipt of this notification by written note or by completing the appropriate section of the "Acknowledgment of Notification of Parents Legal Rights" form that was sent home with each student on the first day of school.

**Student records:** Parents and eligible students will be notified prior to the destruction of any special education records.

**Nondiscrimination:** Uniform complaint procedures shall be followed when addressing complaints alleging unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in any program or activity that receives or benefits from State financial assistance.

**Sexual harassment:** State and Federal law prohibit sexual harassment of students. If a student feels he/she has been sexually harassed by an employee of the district, a non-employee who is regularly present in the school area or another student, he/she may submit a complaint to a teacher or the principal. The district's written policy regarding sexual harassment is available at your child's school or the District Office.

**Disabled students:** Section 504 of the Rehabilitation Act of 1973 defines students who may be considered disabled. A person is disabled under this act who:  
Has a mental or physical impairment which substantially limits one or more major life activity; or  
Has a record of such an impairment; or  
Is regarded as having such impairment.  
The district will identify, evaluate and provide free appropriate education to students qualified disabled within the meaning of Section 504 of the Rehabilitation Act of 1973. Parents of students should contact their site principal for procedures regarding accommodations under Section 504.

#### HEALTH -

**District immunizations:** The district may administer immunizing agents to prevent or control communicable diseases to pupils whose parents have consented in writing to such immunization.

**Assistance with medication:** Any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the physician and a parental request for assistance in administering the physician's instructions. A form is available at your child's school and on line at [www.pusdk12.org](http://www.pusdk12.org) (under forms).

**Medication:** The parent or legal guardian of any 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 parent or legal guardian of the student, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child's physical, intellectual and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose.

**Health examination for school entry:** By law, all children entering the first grade are required to have a certificate of a health examination on file at school. Children must have completed the examination up to 18 months prior to first grade entry or within 90 days thereafter. Parents are informed of the requirement at the time of kindergarten and first grade registration. The Department of Education works with the Child Health and Disability Prevention Program (CHDP) in assisting all children in meeting this requirement. CHDP is a preventive health program serving California's children and youth and provides routine health examinations to identify problems and to refer suspected problems for necessary diagnosis and treatment. A waiver may be signed by the parents should they choose not to obtain the health examination.

**Medical care:** The governing board may provide or make available medical or hospital services for injuries to students arising from school programs or activities. No student shall be compelled to accept such service without consent or, if a minor, without the consent of a parent or guardian.

#### CURRICULUM –

**Curriculum review:** Each school site has a curriculum description for all courses taught at that site available for parent/guardian review, at parent request.

**Special education:** If a child is an "individual with exceptional needs," special education is available at no cost to the parent. Parents, teachers, administrators or other individuals who believe that a student may require special educational services may refer the child for consideration for special education. Any individual, agency or organization has the right to file a written complaint if it believes that a child's rights have not been met under special education laws/regulations. For information regarding referral procedures, complaints, etc. call the Director of Special Services at (530) 872-6400 ext. 244.

**High school exit exam:** Students who intend to graduate from the high school will be required to pass a high school exit examination. Students will have the opportunity to take that examination beginning in the spring semester of their sophomore year. Ample notification of the date and requirements for passing the examination as well as the consequences of not passing the examination will be given to parents/guardians and students prior to that test date.

**Makeup work:** No student may have his or her grade reduced or lose academic credit for any absence excused pursuant to Education Code 48205 when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

**Drug education:** Instruction on drug education and the effects of the use of tobacco, alcohol, narcotics, dangerous drugs and other dangerous substances is included in courses on health and other appropriate areas of study in grades 1-12. Information regarding the district policies for tobacco, alcohol and drugs is available at your child's school on request.

**Venereal disease education:** Parents are notified in writing prior to any instruction or class in which venereal disease education and human reproductive organs and their function or processes are described, illustrated or discussed. Materials to be used may be reviewed prior to instruction.

**Student access to the internet:** Students who use the internet at school, and their parent(s)/guardian(s) are required to sign the PUSD Student Network Responsibility Contract. By doing so, the student and parent(s)/guardian(s) agree to abide by the restrictions outlined in the contract. Consequences of violations include, but are not limited to, the suspension or revocation of internet access, suspension or revocation of network privileges, suspension or revocation of computer access and/or school suspension.

**Excused from health education:** Whenever any part of the instruction in "health," family life or sex education conflicts with religious training and beliefs or personal moral convictions of the parent or guardian, the student shall be excused from that part of the instruction upon written parental consent.

#### ATTENDANCE –

**Absence for personal reasons:** State law permits students to be absent for justifiable personal reasons. In accordance with board policy, the request must be in writing and must be agreed to by the building principal.

**Home/hospital instruction:** Home/hospital instruction is available for students with temporary disabilities. This typically involves students who are confined to a hospital or home for a period of one month or more because of an incapacitating illness or injury. This program is facilitated through the Independent Learning Center.

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

- 1) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility and joy.
- 2) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may result in whole or in part from a presentation by his teachers of choices of learning projects.
- 3) 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.
- 4) Maximize the opportunity for students, teachers and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil or teacher is interested in further information concerning alternative schools, the County Superintendent of Schools, the administrative office of this district and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

**Attendance options:** Parents/guardians have a number of attendance options available for their students. These include charter schools, regular school programs, independent study and others. More information about these options is available in this handbook, on our website, or by calling the District Office. Parents/guardians may also request an interdistrict attendance agreement for their student's attendance at a school outside of the Paradise Unified School District or an intra-district agreement (request for change in school of attendance) for attendance at a school in grades K-8 outside of the student's residence area. Appropriate forms are available at the school office or the District Office and must be completed annually.

**Permissive absence:** Pupils may be excused from school in order to participate in religious exercises or to receive religious instruction at their place of worship with written parental consent.

**McKinney-Vento Homeless Support Program:** Students who are living in a temporary housing situation are entitled to continue attendance at the school of their residence. The district will provide transportation and eligibility for the free lunch program. Contact your school office or the District Office if you are in need of this program.

#### **INFORMATION –**

**Free and reduced price meals and transportation:** Needy pupils may be eligible for free or reduced price meals or transportation. Details are available at your child's school.

**Surveys:** The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding the school district's conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

*Parents have a right to give consent* before students are required to participate in 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

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

*Parents must receive notice and an opportunity to opt a student out of –*

- 1) Any other protected information survey, regardless of funding;
- 2) 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
- 3) Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

*Parents have a right to inspect, upon request and before administration or use –*

- 1) Protected information surveys of students;
- 2) Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- 3) Instructional material used as part of the educational curriculum.

Parents who believe their rights have been violated may file a complaint with the Family Policy Compliance Office (see address under "Access to records" above).

**Pesticide application:** The Paradise Unified School District does not intend to use pesticides on a regular basis. However, if a situation should arise that requires the application of pesticides in your child's school a list will be developed of parents or guardians who want to be notified before individual pesticide applications are made. If you would like to be included on this list, please notify your child's school in writing.

**Asbestos:** Complete, updated management plans for asbestos-containing material in school buildings are available at each site and the PUSD Administrative Office.

**Tobacco Use Policy:** All use of tobacco (smoking, chewing, etc.) on school property is against both the California Education Code as well as the Penal Code. Tobacco use will not be allowed on Paradise Unified School property, including parking lots.

**Drug/Alcohol Policy:** Paradise Unified School District will not tolerate the use of, possession of, or the association with, illegal drugs including alcohol while at school or school activities. Refer to PUSD Board Policies and Procedures 5131.6.

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**State law requires that you must acknowledge you have read your rights and responsibilities by returning the *Acknowledgment of Notification of Parents' and Students' Legal Rights* consent form completed and signed to the school office.**

### **Acknowledgment of Notification of Parents' and Students' Legal Rights**

You must acknowledge you have read your "Notification of Parents' and Students' Legal Rights" which was included in the *Parent and Student Handbook* sent home with your student on the first day of school. Please return this form to your child's school as soon as possible.

- I hereby acknowledge receipt of information regarding my rights/responsibilities/protectations.

Student's Name (please print): \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_ Teacher: \_\_\_\_\_

- Is this student on a continuing medication program? Please check: \_\_\_\_\_ Yes \_\_\_\_\_ No  
If YES, you have my permission to contact my child's physician.

Physician: \_\_\_\_\_ Phone: \_\_\_\_\_

Medication: \_\_\_\_\_ Dosage: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- If you **do not wish directory information released** (see parents' and students' rights), please sign below and return to the school office within the next 30 days. Note that this will prohibit the district from providing the pupil's name and other information to the news media, interested schools, parent-teacher associations, interested employers and similar parties (such as scholarship organizations, educational workshop opportunities, etc.). This directive is valid for the 2016/2017 school year only and must be renewed annually.

\_\_\_\_\_ Do not release **directory information** regarding \_\_\_\_\_  
Student's Name

\_\_\_\_\_ Do not release **information to the military** regarding \_\_\_\_\_  
Student's Name

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signed by (please check): \_\_\_\_\_ Parent/guardian of student age 17 or younger \_\_\_\_\_ Student, age 18 or older