

**OCEAN VIEW SCHOOL DISTRICT  
ANNUAL NOTIFICATION TO PARENTS/GUARDIANS/STUDENTS  
2021-2022**

Dear Parent/Guardian:

As required by law (Education Code §48980), you are hereby notified of the rights or responsibilities listed in specific Ed Codes. Education Code §48982 requires parents to return a signed acknowledgement of being informed as required by existing statutes.

**DEAR PARENT/GUARDIAN/STUDENT:**

California Education Code Section 48980 requires that, at the beginning of the first semester or quarter of the regular school term, the Board of Trustees of each school district must notify parents/guardians of their rights or responsibilities under certain provisions of the Education Code. Other provisions of California and United States law also require notification of parents/guardians.

Education Code section 48982 requires that acknowledgement of this notice be signed by the parent/guardian and returned to your child’s school. Your signature on the Emergency Card/Verification Summary that you completed when registering your child online at portal.ovsd.org is an acknowledgment that you have received the notice and have been informed of your rights. This signature does not indicate that consent to participate in any particular program has been either given or withheld.

Please sign and return the Emergency Card/Verification Summary Document to your child’s school for acknowledgment of this notice.

California and United States law require certain other notices in the event that specific circumstances should arise, affecting your child’s education and attendance at school. If any such circumstances should arise, the District will provide notice as required by law.

**MISSION STATEMENT**

*We hold high expectations for all students through rigorous and relevant educational experiences that support and guide them to become responsible, ethical, productive, and involved citizens.*

*This publication was created by the*

**OCEAN VIEW SCHOOL DISTRICT**

*With Thanks to Orange County Department of Education  
Student Services*

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## KEY TO LEGAL REFERENCES

<u>Abbreviation</u>	<u>Complete Title</u>
B&PC	Business and Professions Code
CCR	California Code of Regulations
CFR	Code of Federal Regulations
EC	Education Code
H&SC	Health & Safety Code
IDEA	Individuals with Disabilities Education Act
LC	Labor Code
NCLB	No Child Left Behind Act
USC	United States Code
W&IC	Welfare & Institutions Code

## STUDENT DISCIPLINE

RULES PERTAINING TO STUDENT DISCIPLINE (EC §35291, §48980): The District Board of Trustees has prescribed rules for the government and discipline of the schools under the Board's jurisdiction. Rules pertaining to student discipline are available at each school site.

DUTY CONCERNING CONDUCT OF STUDENTS (EC §44807): Every District teacher has a responsibility to hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

DUTIES OF STUDENTS (EC§48908, 5 CCR §300): Every student must attend punctually and regularly, conform to the regulations of the school, obey promptly all the directions of his/her teacher and others in authority, observe good order and propriety of deportment, be diligent in study, be respectful to his/her teacher and others in authority, be kind and courteous to schoolmates, and refrain entirely from the use of profane and vulgar language.

DRESS CODE (EC §§ 35183, 35183.5, 51101): The Board of Trustees has approved a dress code policy adopted by your child's school. A copy of the dress code is available in your child's student handbook/planner.

ATTENDANCE OF SUSPENDED CHILD'S PARENT/GUARDIAN (EC §48900.1, LC §230.7): The District Board of Trustees has adopted Board Policy 5144.1, authorizing teachers to require the parent/guardian of a student who has been suspended by a teacher, to attend a portion of a school day in the child's classroom. No employer may dismiss or in any manner discriminate against an employee for taking time off from work to comply with this requirement.

## STUDENT RECORDS

RIGHTS OF PARENTS/GUARDIANS (EC §49063, et seq.):

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

Responsible Officials: Your child's Principal is responsible for the maintenance of student records located at your child's school. For student records maintained at the District Office, the responsible official is the Assistant Superintendent, Educational Services.

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

School Officials and Employees/Legitimate Educational Interests: School officials and employees who are authorized to review student records are school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, certificated employee, or support staff member (including, but not limited to, paraeducator, health or medical staff and school law enforcement personnel); a person serving on the school board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, educational consultant or therapist); a vendor, contractor, or other party to whom the District has outsourced institutional services or functions; an agency caseworker of a state or local child welfare agency that has legal responsibility for the care and protection of a student, other public agencies providing services to students, as well as employees of other public schools or school systems where educational programs leading to high school graduation are provided or where a District student intends to or is directed to enroll; a minor's counsel of record. Access to student records is permitted only for records that are relevant to the legitimate educational interests of the requester. Upon request, the District discloses educational records without consent to officials of another school district in which the student seeks or intends to enroll. Legitimate educational interests are described in California Education Code §49076 and in District Board Policy 5125.

Right of Access and Review/Expungement: You have an absolute right to access any and all student records related to your child, which are maintained by the District. A homeless child or youth or an unaccompanied youth who is 14 years of age or older may access his/her student records. If you wish to review records located at your child's school, please contact the Principal's office, or submit a written request that

identifies the record(s) you wish to inspect. If you wish to review records located at the District office, please contact the Assistant Superintendent, Educational Services. The Principal or District office has five (5) business days from the day of the receipt of a request to provide access to the records. Upon satisfactory completion of the rehabilitation assignment of a student whose expulsion has been suspended by the Board of Trustees, the Board may order the expungement of any or all records of the expulsion proceedings. If the Orange County Board of Education enters an order reversing the decision of the Board of Trustees to expel a student, the County Board may direct the Board of Trustees to expunge the record of the student and records of the District of any references to the expulsion action. When you submit a written revocation of consent after the initial provision of special education and related services for your child, the District is not required to amend the education records of your child to remove any reference to your child's receipt of special education and services.

*Challenging the Content of Records:* You have the right to challenge the content of any student record by filing a written request with the Superintendent to correct or remove any information recorded in the written records concerning your child which you allege to be any of the following: (1) inaccurate, (2) an unsubstantiated personal conclusion or inference, (3) a conclusion or inference outside the observer's area of competence, (4) not based on the personal observation of a named person with the time and place of the observation noted, (5) misleading, or (6) in violation of the privacy or other rights of the student.

*Copying Costs:* You may receive copies of your child's student records at a cost of \$0.10 per page.

*Transfer of Records:* The District is required to transfer a copy of your child's permanent student records within ten (10) school days to the school your child intends to enroll.

*Complaints:* You have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (20 USC §1232g).

*Curriculum:* Each year the local Board of Education approves the list of instructional materials for the schools. This list is available on the District website, [ovsd.org](http://ovsd.org).

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

*Destruction of Student Records:* The Board of Trustees of the District is required to retain indefinitely the original or an exact copy of mandatory permanent student records (Class 1 – Permanent Records) which schools have been directed to compile by California regulations; maintain for stipulated periods of time mandatory interim student records (Class 2 – Optional Records) until the information is no longer needed

to provide educational services to a child and are retained until reclassified as Class 3 – Disposable Records, and then destroyed as per California regulations (5 CCR 432). Prior to destroying student records of a child who has received special education services, the IDEA requires parental notification when the District decides that personally identifiable information is no longer needed to provide educational services to a child. Once parents/guardians have been notified that personally identifiable information is no longer needed, they have the option of requesting access to and/or copies of student records prior to destruction, and to request that student records be destroyed, unless the District determines that the information could be needed to provide educational services in the future or is needed for auditing purposes (34 CFR 300.624, 5 CCR 16026). Unless classified as permanent records, all other student records are destroyed five years after the information is no longer needed to provide educational services (5 CCR 16027).

**RELEASE OF DIRECTORY INFORMATION** (EC §49073): "Directory Information" means one or more of the following items: student's name, address, telephone number, email address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student. The District has determined that the following individuals, officials, or organizations may receive directory information: School-sponsored organizations (PTA/O, etc.) and any law enforcement agency to aid in crime investigation. Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks; a playbill, showing your child's role in a drama production; honor roll or other recognition lists; graduation programs and sports activity sheets. However, no information may be released to a private profit-making entity 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 regarding your child may be released if you notify the District that the information shall not be released. Please submit a written notice to the Principal of your child's school if you wish to deny access to directory information concerning your child. Release of directory information of a homeless child or youth is prohibited unless a parent or eligible student has given written consent that such information may be released.

**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT** ("FERPA," 20 USC §1232g): United States law set forth in FERPA grants parents certain rights with respect to their student's records. For a summary of your rights under FERPA, refer to **Attachment 1**.

## **HEALTH AND SAFETY**

### IMMUNIZATIONS

See **Attachment 15** for required immunizations.

HEALTH SCREENING AND EVALUATION SERVICES (H&SC §124085): Within 90 days after your child's entrance into first grade, you must provide a certificate documenting that within the prior 18 months your child has received appropriate health screening and evaluation services, including a physical examination (CHDP). These services are available from the Orange County Public Health Department. In lieu of the certificate, you may submit a signed waiver indicating that you do not want or are unable to obtain the health screening and evaluation services for your child. If the waiver indicates that you were unable to obtain the services, then the reasons why should be included in the waiver.

STATE MANDATED HEALTH SCREENING (CCR 17 §2950): California law mandates that students have routinely scheduled health screenings. All students in grades Kindergarten, second, fifth, and eighth will be screened for height, weight, vision and hearing. In addition, second grade boys will be screened for vision deficiencies. Your child may also be screened for height, weight, vision and/or hearing upon parent, teacher or principal request.

REFUSAL TO CONSENT TO PHYSICAL EXAMINATION (EC §49451, §48980): You may file an annual written statement with the Principal of your child's school, stating that you will not consent to a physical examination of your child. However, whenever there is good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and shall not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist.

PUPIL SUICIDE PREVENTION HOTLINE (EC §§215.5, 48980): The telephone number to reach the National Suicide Prevention Lifeline (1-800-273-8255) is printed on the back of student identification cards.

PUPAL MENTAL HEALTH SERVICES (EC §§49428, 48980): For information on how to initiate access to available mental health services on campus or in the community, or both, -visit the District website or speak with staff at the school.

CONTINUED MEDICATION REGIMEN FOR NONEPISODIC CONDITION (EC §49480): If your child is on a continuing medication regimen for a nonepisodic condition, you are required to inform the school nurse or other designated certificated school employee of: (1) the medication being taken, (2) the current dosage, and (3) the name of the supervising physician. With your consent, the school nurse may communicate with your child's physician and may counsel with school personnel regarding the possible effects of the drug on your child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. If your child is on a continuing medication regimen, please complete the required form at your child's school.

ADMINISTRATION OF IMMUNIZING AGENTS (EC §49403, §48980): The District Board of Trustees may permit any person licensed as a physician and surgeon, any person

licensed as a registered nurse, or other licensed healthcare practitioners acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to a student. You have the right to consent in writing to the administration of an immunizing agent to your child.

ADMINISTRATION OF PRESCRIBED MEDICATION (EC §49423, §48980): If your child is required to take prescription medication during the regular school day, you may request assistance for your child by the school nurse or other designated school personnel. If you wish such assistance, you must provide both a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and your own written statement indicating your desire that the District assist your child in the matters set forth in the physician's statement. Your child may also carry and self-administer prescription auto-injectable epinephrine or asthma medication if the District receives written statements from you and the child's physician in the form required by law.

TOBACCO-FREE CAMPUS POLICY (H&SC §104420): The District Board of Trustees has adopted and enforces a tobacco-free campus policy. The policy prohibits the use of tobacco products and electronic nicotine delivery systems, with or without nicotine content at any time in District-owned or leased buildings, on District property and in District vehicles.

MEDICAL AND HOSPITAL SERVICES NOT PROVIDED (EC §49471, §48980): The District Board of Trustees does not provide or make available medical and hospital services for District students who are injured while participating in athletic activities.

CONCUSSIONS AND HEAD INJURIES (EC §49475): Requires districts who elect to offer athletic programs to immediately remove for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during the activity and prohibits the return of the athlete to that activity until he/she is evaluated by and receives written clearance from, completes a graduated return-to-play protocol of not less than seven days in duration under the supervision of a licensed health care provider, and requires district to provide annually a concussion and head injury information sheet to be signed and returned by the athlete and his/her parent before the athlete initiates practice or competition.

MEDICAL AND HOSPITAL SERVICES FOR STUDENTS (EC §49472, §48980): The District Board of Trustees may provide or make available medical or hospital service through nonprofit membership corporations, defraying the cost of medical service or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance, for injuries to District students arising out of accidents occurring on District property or while being transported to and from school-sponsored activities. No student is required to accept such service without the consent of his/her parent/guardian.

**INSTRUCTION FOR STUDENTS WITH TEMPORARY DISABILITIES** (EC §48206.3, §48980): If your child should suffer a temporary disability which makes attendance in regular day classes or an alternative education program in which the child is enrolled impossible or inadvisable, your child shall receive individual instruction provided by the district in which he/she is deemed to reside. Individual instruction includes instruction provided in your home, in a hospital or other residential health facility, excluding state hospitals, or under other circumstances prescribed by state law. If your child is well enough to return to school during the school year in which individual instruction began, he/she must be allowed to return to the school that he/she attended prior to receiving individual instruction. Individual instruction in your home must commence no later than five working days after the district determines your child shall receive this instruction.

**STUDENTS WITH TEMPORARY DISABILITIES** (EC §48207, §48980): In the event that your child has a temporary disability and is confined in a hospital or other residential health facility located outside this District, you shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. In such circumstances, it is your responsibility to notify the school district in which you are deemed to reside of your child's presence in a qualifying hospital.

#### **TYPE 2 DIABETES**

Please refer to **Attachment 11** for information required to parents of 7<sup>th</sup> grade students regarding type 2 diabetes.

**PROOF OF ORAL HEALTH ASSESSMENT** (EC §49452.8): Your child must have an oral health assessment (dental check-up) by no later than May 31 of the first year entering kindergarten or first grade. Dental check-ups in the 12 months before starting school meet this requirement. Ask your dentist to fill out the Oral Health Assessment Form provided by the school. You may be excused from complying with the dental check-up requirement by marking the box next to the appropriate reason on Section 3 of the Oral Health Assessment Form.

**FREE AND REDUCED-PRICE MEALS** (EC §49510, et seq., §48980): Depending on annual household income, your child may be eligible for free or reduced-price meals. Information concerning this program is available at the Food and Nutrition Services Department at 714-847-2551 x 1450.

**NOTIFICATION OF PESTICIDE USE** (EC §§17611.5, 17612, 48980.3): A copy of the school's integrated pest management plan is posted on the school's web site. Please refer to **Attachment 2** for a list of all pesticide products expected to be applied at your child's school during the upcoming year.

**ASBESTOS MANAGEMENT PLAN** (40 CFR §763.93): Pursuant to the Asbestos Hazard Emergency Response Act (AHERA), local education agencies are required to inspect their school buildings for asbestos-containing building materials, prepare asbestos management plans, and perform

asbestos response actions to prevent or reduce asbestos hazards. The District's updated Asbestos Management Plans for all sites are available for inspection at the District Facilities, Maintenance, & Operations Department at 714-847-2551, ext. 3500, or by going to the website and [www.ovsd.org](http://www.ovsd.org) and locating Facilities Department. Each school site has a copy of their plan for review.

## **ATTENDANCE**

**STATUTORY ATTENDANCE OPTIONS** (EC §§35160.5, 46600, 48204, 48980): The District is required to advise each parent/guardian of all existing statutory attendance options and local attendance options available in the District. These are options for attending schools other than the school designated for the local attendance area in which the parent/guardian resides. The options include intradistrict transfer and interdistrict transfer. You may access interdistrict transfer permit information and policy on the District's website at [www.ovsd.org](http://www.ovsd.org). Refer to **Attachment 3** for a complete summary of these attendance options.

**EXCUSED ABSENCES** (EC §§48205, 48980): Your child may be excused from school when the absence is for medical or justifiable personal reasons. Your child will be allowed to complete all assignments and tests missed during such an excused absence. See **Attachment 4**.

**GRADE REDUCTION/LOSS OF ACADEMIC CREDIT** (EC §48205, §48980): Your child may not have his/her grade reduced or lose academic credit for any absence or absences excused under Education Code Section 48205, when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Please refer to **Attachment 4** for the full text of §48205.

**ABSENCES FOR RELIGIOUS PURPOSES** (EC §46014, §48980): With your written consent, your child may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at your child's place of worship or at other suitable place or places away from school property designated by the religious group. Your child may not be excused from school for this purpose on more than four days per school month.

**EXCUSE TO OBTAIN CONFIDENTIAL MEDICAL SERVICES** (EC §46010.1): Students in grades 7 and 8 may be excused from school for the purpose of obtaining confidential medical services, without the consent of the student's parent/guardian.

**PREGNANT AND PARENTING PUPILS** (EC §§222.5, 46015, 48205, 48980): A pregnant parenting pupil is entitled to eight weeks of parental leave from school, as specified, but is not required to take all or part of the leave. Absences taken for parental leave shall be excused absences until the pupil is able to return to school. A pupil will not be penalized academically for leave taken and is entitled to opportunities to make up work missed during his/her leave, including makeup work plans and reenrollment in courses. Please refer to **Attachment 3** for the full text of section 48205.

SCHEDULE OF MINIMUM DAYS AND STUDENT-FREE STAFF DEVELOPMENT DAYS (EC §48980): The District is required to advise all parents/guardians of the schedule of minimum days and student-free staff development days. Please refer to the District's schedule which is **Attachment 13** to this notice. If any minimum or student-free staff development days are scheduled following the distribution of this notice, the District will notify you as early as possible, but not later than one month before the scheduled minimum or student-free day.

### NON-DISCRIMINATION

STATEMENT OF NON-DISCRIMINATION (Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, §504 of the Rehabilitation Act of 1973): The District does not discriminate on the basis of a student's actual race, color, national origin, ethnic group identification, sex, disability, immigration status, religion, sexual orientation, gender, gender identity, gender expression, physical/mental disability, or the perception of such characteristics, or association with a person or group with one or more of these actual or perceived characteristics. Please refer to **Attachment 14** "Educational Rights" related to immigration. Additional resources for immigrant students and family members developed by the California Attorney General are accessible at <http://oag.ca.gov/immigrant/rights>. The District will take steps to assure that the lack of English will not be a barrier to admission and participation in District programs. Complaints alleging noncompliance with the District's policy of nondiscrimination should be directed to the Assistant Superintendent of Human Resources Office, at 714-847-2551 x 1411. A copy of the District's nondiscrimination policy is available from the District office.

SEXUAL HARASSMENT POLICY (EC §231.5, §48980; 5 CCR §4917): The District's written sexual harassment policy is **Attachment 6** to this notice.

### BULLYING/HARASSMENT

The District prohibits bullying. This includes but is not limited to, unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics such as disability, gender, gender identity, gender expression, nationality, race ethnicity, immigration status, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. Students are encouraged to notify school staff through verbal, written or anonymous means when they are being bullied or suspect that another student is being victimized. Any complaint of bullying shall be investigated and students who violate the District's policies on harassment of bullying may be subject to discipline including behavioral interventions, suspension or expulsion. **Attachment 7**

### STUDENTS WITH DISABILITIES

SPECIAL EDUCATION (EC §56000 et seq.; 20 USC §1401 et seq.): Both California and United States law require that a free appropriate public education (FAPE) in the least restrictive environment (LRE) be offered to qualified students

with disabilities. Information on student eligibility, procedural safeguards, and additional matters is available from the Director, Special Education at 714-847-2551 x 1315.

CHILD FIND (EC §56300, §56301): The District has a duty to identify, locate and assess children with disabilities who are in need of special education and related services. If you believe that your child is in need of special education and related services, you may initiate a referral for assessment by contacting the Director, Special Education, at 714-847-2551 x 1315.

### MISCELLANEOUS

#### LEARNING MANAGEMENT SYSTEM NOTIFICATION

OVSD uses G Suite for Education and Clever as a learning management system. Teachers and students use these apps to support teaching and learning, student engagement, and assessment.

#### COMPREHENSIVE SEXUAL HEALTH EDUCATION/HIV/AIDS PREVENTION EDUCATION

(EC §51938, §48980): The District will provide instruction in comprehensive sexual health education and HIV/AIDS prevention education and research on student health behaviors and risks for the coming school year. Written and audiovisual educational materials used in this education are available for your inspection at your child's school. The education will be taught by school district personnel. A copy of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act is available from [leginfo.ca.gov](http://leginfo.ca.gov). You have the right to request in writing that your child shall not receive comprehensive sexual health education or HIV/AIDS prevention education.

#### DISSECTION OR OTHERWISE HARMING OR DESTROYING ANIMALS

(EC §32255, et seq.): If your child has a moral objection to dissecting or otherwise harming or destroying animals, he/she has a right to notify the teacher regarding this objection and to refrain from participation in an education project involving the harmful or destructive use of animals which must be substantiated with a note from a parent/guardian.

CAASPP STATE EXAMS (5 CCR 852): During the spring, students in grades 3 through 8 will take the annual state exams. Parents may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP. The request to excuse needs to include the school name, student name and the specific tests the student will be exempted from taking.

#### SCHOOL ACCOUNTABILITY REPORT CARD

(EC §35256, §32286): The District Board of Trustees annually issues a School Accountability Report Card (SARC) for each school in the District. You may obtain a copy of the SARC from the Principal's office or access it via the District's website. The SARC includes, but is not limited to, assessment of school conditions specified in California Education Code section 33126. The SARC also includes an annual report on the status of the safety plan for your child's school, including a description of its key elements.

### ENGLISH LEARNER PROGRAMS (EC §310)

Information on the types of English language programs available in Ocean View School District and a description of each program is attached. Please refer to **Attachment 16** for a description of each program.

### HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS (EC §51240):

If any part of the school's instruction in health conflicts with your religious training and beliefs, you may submit a written request that your child be excused from the part of the instruction that conflicts with your religious training and beliefs.

### NOTICE OF ALTERNATIVE SCHOOLS (EC §58501):

The law requires the District to provide parent/guardians with a notice of alternative schools. Please refer to **Attachment 5** for a copy of the notice specified in Education Code Section 58501.

### SEX EQUITY IN CAREER COUNSELING AND COURSE SELECTION (EC §221.5):

You have the right to participate in counseling sessions and decisions concerning career counseling and course selection, commencing with course selection for grade 7.

### UNIFORM COMPLAINT PROCEDURES (5 CCR §4622):

The District has adopted policies and procedures for the filing, investigation and resolution of complaints regarding alleged violations of federal or state law or regulations governing educational programs, including allegations of unlawful discrimination. A copy of the District's Uniform Complaint Procedures is available from the District office. Please refer to **Attachment 8**, which is the District's Notice of Uniform Complaint Procedures.

VOLUNTEER ASSISTANCE: The District recognizes that volunteer assistance in schools can enrich the educational program and strengthen the schools' relationships with the community. Please refer to **Attachment 9** for policy on duties and clearance of volunteers.

### EVERY STUDENT SUCCEEDS ACT (ESSA)

Limited English Proficient Children: The ESSA requires the District to inform the parent(s) of a limited English proficient (LEP) child identified for participation or participating in a language instruction educational program, of the following:

- (1) The reasons for the identification of the child as LEP and in need of placement in a language instruction educational program;
- (2) The child's level of English proficiency, how such level was assessed and the status of the child's academic achievement;
- (3) The methods of instruction used in the program in which the child is or will be participating, and the methods of instruction used in other available programs;
- (4) How the program in which the child is or will be participating, will meet the educational strengths and needs of the child;

- (5) How such program will specifically help the child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
- (6) The specific exit requirements for the program;
- (7) In the case of a child with a disability, how such program meets the objectives of the individualized education program (IEP) of the child; and
- (8) Information pertaining to parental rights that includes written guidance detailing the right that parents have to have their child immediately removed from such program upon their request, and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the District.

If your child is LEP and has been identified for participation or is participating in the language instruction educational program, please contact the Coordinator, Categorical Programs, at 714-847-2551 x1307, for the above information that is specific to your child.

### Right to Information Regarding the Professional Qualifications of Teachers and Paraprofessionals:

The ESSA grants parents the right to request information regarding the professional qualifications of the children's classroom teachers, including 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) The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and
- (4) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

This information is available at the Human Resources Department. The District will provide timely notice if your child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified.

Information on Child's Level of Achievement: The District will provide timely information on the level of achievement of your child in each of the state academic assessments.

Homeless Liaison: Homeless students have certain rights under California and United States law. For information concerning these rights, please contact the District's liaison for homeless children and youths, Student Services, at 714-847-2551 x 1355.

**ATTACHMENT 1**  
**Notification of Rights under FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) 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 maintained by the school . These rights transfer to the eligible student when he/she reaches the age of 18 or attends a school beyond the high school level.

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. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

2. The right to request that a school correct the student’s education records that the parent or eligible student believes is inaccurate or misleading.

Parents or eligible students who wish to ask the school to correct a record should write the school principal, clearly identify the part of the record they want corrected, and specify why it should be corrected. 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. After the hearing, if the school still decides not to amend the records, the parent has the right to place a statement with the records setting forth his/her view about the contested information.

3. Generally, schools must have written permission from the parent in order to release any information from a student’s education records. However, FERPA permits schools to disclose those records, without consent, to the following parties or under the following conditions:

- ♦ School officials with legitimate education interest;
- ♦ Other schools to which a student is transferring;
- ♦ Specified officials for audit or evaluation purposes; Appropriate parties in connection with financial aid to a student;
- ♦ Organizations conducting certain studies for or on behalf of the school;
- ♦ Accrediting organizations;
- ♦ To comply with a judicial order or lawfully issued subpoena;
- ♦ Appropriate officials in cases of health and safety emergencies; and
- ♦ State and local authorities, within a juvenile justice system, pursuant to specific state law

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 education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

Schools may disclose, without consent, “directory” information such as a student’s name, address, telephone number, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public/private school attended by the student. However, schools must inform parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. School officials must notify parents and eligible students annually of their rights under FERPA. The actual means of notification is left to the discretion of each school.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school 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 20202-8520



## ATTACHMENT 2

### Pesticides/Herbicides

The Healthy Schools Act of 2000 (as amended by Assembly Bill 2260) requires school districts to notify each parent or guardian and all employees, of pesticides that may be used in the maintenance of our school sites. Parents or guardians and District staff may request prior notification of individual pesticide applications of EPA regulated pesticides at their child’s school site or employee work site. If you desire 72 hour notification prior to these treatments, please visit the Maintenance and Operations Department page at [www.ovsd.org](http://www.ovsd.org) to register on the Integrated Pest Management system for ongoing notifications. Additional information is available at the California Department of Pesticide Regulation website at [www.cdpr.ca.gov](http://www.cdpr.ca.gov). The following is a list of pesticide products that may be used in the maintenance of our school sites.

PRODUCT		ACTIVE INGREDIENT	PURPOSE
1.	Dragnet SFR	Permethrin	Termiticide/Insecticide
2.	Total TNV Herbicide	Glufosinate-ammonium	Herbicide
3.	Precor	Methopreme	Fleas
4.	Sedge Hammer	Halosulfuron methyl	Selective herbicide – Nut Sedge
5.	Sluggo	Iron phosphate	Snails and slugs
6.	Speedzone Southern	2,4-d, Dicamba, Mecoprop	Selective herbicide – Broadleaf weeds
7.	Surflan	Oryzalin	Pre-emergent herbicide
8.	UP Star Gold	Bifenthrin	Insecticide
9.	Vikane	Sufuryl Fluorid	Fumigant for termites
10.	Nyguard IGR	Pyriproxifen	Insect growth regulator
11.	Onslaught	Esfenvalerate	Insecticide
12.	Termidor	Fipronil	Insecticide
13.	Suspend SC	Deltamethrin	Insecticide
14.	Root X	Dichlobenil	Root inhibitor for sanitary sewers
15.	D-Fense SC	Deltamethrin	Insecticide
16.	Delta Dust	Deltamethrin	Insecticide
17.	Avenger AG Burndown Herbicide	Limonene	Herbicide
18.	Brandt No Foam A	None	Nonionic Surfactant for Terrestrial/Aquatic use sites
19.	Lifeline	Glufosinate-ammonium	Herbicide

## ATTACHMENT 3

### **STATUTORY ATTENDANCE OPTIONS** – Prepared by the California Department of Education

#### **CHOOSING YOUR CHILD'S SCHOOL**

##### **A Summary of School Attendance Alternatives in California**

California law [EC §48980(h)] requires all school boards to inform each student's parents/guardians at the beginning of the school year of the various ways in which they may choose schools for their children to attend other than the ones assigned by school districts. Students who attend schools other than those assigned by the districts are referred to as "transfer students" throughout this notification. There is a process for choosing a school within the district which the parents/guardians live (**intradistrict** transfer), and a process for selecting schools in other districts (**interdistrict** transfer). The general requirements and limitations of each process are described below.

##### **Choosing a School Within the District in Which Parents/Guardians Live**

The law (EC §35160.5(b) (1)) requires the school board of each district to establish a policy that allows parents/guardians to choose the schools their children will attend, regardless of where the parents/guardians live in the district. The law limits choice within a school district as follows:

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- In cases in which there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student's academic or athletic performance as a reason to accept or reject a transfer.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
- A district is not required to provide transportation assistance to a student who transfers to another school in the district under these provisions.
- If a transfer is denied, a parent/guardian does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents/guardians to appeal a decision.

Ocean View School District's enrollment period for those choosing a school within the District is from **February 4 - 22, 2019**. Intradistrict transfer forms are available at the school office and on the District web site at [www.ovsd.org](http://www.ovsd.org).

##### **Choosing a School Outside the District in Which Parents/Guardians Live**

Parents/guardians have the option for choosing a school outside the district in which they live.

##### **1. Interdistrict Transfers**

The law (EC §§46600 through 46607) allows two or more school boards to enter into an agreement, for a term of up to five years, for the transfer of one or more students between districts. The agreement must specify the terms and conditions for granting or denying transfers. The district in which the parent/guardian lives may issue an individual permit under the terms of the agreement, or district policy, for transfer and for the applicable period of time. The permit is valid upon endorsement by the district of proposed attendance. The law on interdistrict transfers also provides for the following:

- If either district denies a transfer request, a parent/guardian may appeal that decision to the district board of education. There are specified timelines in the law for filing an appeal and for the district board of education to make a decision.
- No district is required to provide transportation to a student who transfers into the district.

## ATTACHMENT 4

### EXCUSED ABSENCES

#### California Education Code §48205

- (a) Notwithstanding §48200, a student 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 for by law.
  - 6) Due to the illness or medical appointment during school hours of a child of whom the student 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, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the student'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 Board of Trustees.
  - 8) For the purpose of serving as a member of a precinct board for an election pursuant to §12302 of the Elections Code.
  - 9) For the purpose of spending time with a member of the student's immediate family, who is an active duty member of the uniformed services, as defined in §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.
  - 10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
  - 11) Authorized at the discretion of a school administrator, as described in subdivision (C) of Section 48260
- (b) A student 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 the class from which a student is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the student missed during the absence.
- (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 §45194, except that references therein to "employee" shall be deemed to be references to "student."

## ATTACHMENT 5

### **NOTICE OF ALTERNATIVE SCHOOLS** **California Education Code §58501**

California state law authorizes all school districts to provide for 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 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 his/her desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or part from a presentation by his/her 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.

## ATTACHMENT 6

### **Board Policy No. 5145.7, SEXUAL HARASSMENT**

The Board of Trustees is committed to maintaining an educational environment that is free from harassment and discrimination. The Board of Trustees prohibits sexual harassment of students by other students, employees, or other persons, at school or at school-sponsored or school-related activities. The Board of Trustees also prohibits retaliatory behavior or action against persons who complain, testify, assist, or otherwise participate in District complaint processes.

#### Instruction/Information

The Superintendent or designee shall ensure that all District students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment.
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained.
4. Information about the District's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.
5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable.

#### Complaint Process

Any student who feels that he/she is being or has been sexually harassed by a school employee, another student, or a non-employee on school grounds or at a school-sponsored or school-related activity (e.g., a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

### Disciplinary Actions

Any student who engages in sexual harassment or sexual violence of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-8, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

### Confidentiality and Record-Keeping

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the District to monitor, address and prevent repetitive harassing behavior in the schools.

Regulation Revised: 12/13/12

## **ATTACHMENT 7**

### Bullying

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or means of an electronic act, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- placing a reasonable pupil or pupils in fear of harm to that pupils' or those pupils' person or property.
- causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health
- causing a reasonable pupil to experience substantial interference with his or her academic performance
- causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school (Ed. Code 48900 (r))

Cyberbullying includes the creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Cyber-sexual bullying is the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of electronic act. A photograph or other visual recording that includes a depiction of a nude, semi-nude, or sexually explicit photograph, or other visual recording of a minor, where the minor is identifiable from the photograph, visual recording or other electronic act will fall within the definition of cyber-sexual bullying.

The Board of Trustees desires to provide safe school environments that protect students from physical and emotional harm and recognizes the harmful effects of bullying on student learning and school attendance. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

### Intervention, Reporting and Investigations

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

Reports of bullying and cyberbullying shall be investigated promptly, and corrective action shall be taken when a complaint is verified. Neither reprisals nor retaliation shall occur as a result of the submission of a complaint and confidentiality is to be maintained.

Whenever possible, the site administrator completes an investigation of a bullying report within five school days of receiving notice of bullying behavior. The site administrator shall determine whether interim measures are necessary during and pending the results of the investigation.

Whenever possible, within 30 days the site administrator shall compile a written result of the investigation. This report shall be kept on file at the school site.

If the complainant is not in agreement with the findings of the school site investigation, a Bullying Complaint District Level Appeal may be submitted to the Student Services Office within ten days of receiving the investigation findings.

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion.

## **ATTACHMENT 8**

### **Administrative Regulation No. 1312.3, UNIFORM COMPLAINT PROCEDURES**

#### **Compliance Officers**

The Board of Trustees designates the following compliance officers to receive and investigate complaints and ensure District compliance with law:

Assistant Superintendent, Human Resources

17200 Pinehurst Lane, Huntington Beach, California 92647

714-847-2551

The Superintendent or designee ensures that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.

#### **Notifications**

The Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of District complaint procedures and information about available appeals, civil law remedies, and conditions under which a complaint may be taken directly to the California Department of Education. The Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.

#### **Procedures**

The following procedures shall be used to address all complaints which allege that the District has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4632.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

#### **Step 1: Filing of Complaint**

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the District.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination.

The complaint shall be presented to the compliance officer, who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, District staff shall help him/her to file the complaint.

#### **Step 2: Mediation**

Within three days of receiving the complaint, the compliance officer shall informally discuss with the complainant the possibility of using mediation. If all parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall precede with his/her investigation of the complaint.

The use of mediation shall not extend the District's time lines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

### Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within ten calendar days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to complete the complaint orally.

The complainant and/or his/her representatives and the District's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses.

### Step 4: Response

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the District's investigation and decision, as described in Step 5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five calendar days, file his/her complaint in writing with the Board of Trustees.

The Board of Trustees may consider the matter at its next regular Board of Trustees meeting or at a special Board of Trustees meeting convened in order to meet the 30 calendar day time limit within which the complaint must be answered. The Board of Trustees may decide not to hear the complaint, in which case the compliance officer's decision is final.

If the Board of Trustees hears the complaint, the compliance officer shall send the Board of Trustees' decision to the complainant within 30 calendar days of the District's initially receiving the complaint or within the time period that has been specified in written agreement with the complainant.

### Step 5: Final Written Decision

The report of the District's decision shall be in writing and sent to the complainant. The report of the District's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the District will arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

1. The findings and disposition of the complaint, including corrective actions, if any.
2. The rationale for the above disposition.
3. Notice of the complainant's right to appeal the decision within 15 calendar days to the California Department of Education, and procedures to be followed for initiating such an appeal.
4. For discrimination complaints, notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies.
5. A detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved.

If an employee is disciplined as a result of the complaint, this report shall simply state that effective action was taken and that the employee was informed of District expectations. The report shall not give any further information as to the nature of the disciplinary action.

### Appeals to the California Department of Education

If dissatisfied with the District's decision, the complainant may appeal in writing to the California Department of Education within 15 calendar days of receiving the District's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals.

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the District's decision and must include a copy of the locally filed complaint and the District's decision.

A complainant may pursue available civil law remedies outside 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. For discrimination complaints, however, a complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the District has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

Regulation Revised: 3/2/10

## ATTACHMENT 9

### **Administrative Regulation No. 1240, VOLUNTEER ASSISTANCE**

Volunteer is an unsalaried person authorized by the Board of Trustees to perform volunteer services for the school district. A volunteer shall serve in such capacity without compensation or employee benefits of any type, except for worker's compensation as provided for in Labor Code Section 3364.5. A volunteer is a parent, community member, or other adult who assists at a school site or program on a regular or semi-regular basis before, during, or after school hours. All volunteers will work under the direction and supervision of a school employee. All volunteers serve at the discretion of the Superintendent without any expressed or implied privileges beyond those found in this procedure and may be released from volunteering if so deemed by the Superintendent or designee.

#### Duties of Volunteers

The Superintendent or designee may assign volunteers to:

1. Assist certificated personnel in the performance of their duties, and in the performance of instructional tasks which, in the judgment of the certificated personnel to which the volunteer is assigned, may be performed by the volunteer. (Education Code 35021, 45343, 45344, 45349)
2. Serve as nonteaching support under the immediate supervision and direction of certificated personnel to perform non-instructional work which assists certificated personnel in the performance of teaching and administrative responsibilities. (Education Code 35021)
3. Supervise students during lunch, breakfast, or other nutritional periods. (Education Code 35021, 44814, 44815)
4. Perform other duties in support of District or school operations as approved by the Superintendent or designee. Volunteers shall not be authorized to assign grades to students, and shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off. (Education Code 35021, 45344)

#### Tier I Volunteers

Tier I volunteers include the following: 1) All volunteers who are performing volunteer service on the school campus (before, during and after school in classroom and non-classroom environments) more than five hours a week; 2) All chaperones on field trips; 3) All individuals attending or chaperoning overnight school-sponsored trips; and 4) Volunteer coaches, assistant coaches, and co-curricular assistants.

Tier I volunteers are required to be fingerprinted and have a criminal record clearance. (Education Code 49024) Any conviction shall be reviewed by the Assistant Superintendent of Human Resources and approval to volunteer will be determined prior to the volunteer providing service. In addition, Tier I volunteers shall be informed that the site is conducting a Megan Law's clearance check. Volunteers will complete a Volunteer Application form through the Raptor system on the District website and then obtain the fingerprint form (Livescan) from the District Office. Tier I volunteers are to sign in at the front office through the Raptor kiosk and display, on their person, the site issued identification.

#### Tier II Volunteers

Tier II volunteers include the following: 1) All volunteers who are performing volunteer service on the school campus (before, during and after school in classroom and non-classroom environments) five or less hours per week; 2) Volunteers serving parent participation hours outlined by state preschool requirements.

Tier II volunteers shall be informed that the site is conducting a Megan Law's clearance check through the Raptor notification system. Volunteers will complete an online application form through the Raptor system on the District website. Tier II volunteers are to sign in at the front office through the Raptor kiosk and display, on their person, the site issued identification.

#### Registered Sex Offenders

The Superintendent or designee shall require all volunteers to disclose whether they are a registered sex offender and/or to provide the District with sufficient information in order to allow verification of this status on the Department of Justice's Megan's Law web site (<http://www.meganslaw.ca.gov>).

No person who is required to register as a sex offender pursuant to Penal Code 290 shall be assigned as a volunteer in any capacity. (Education Code 35021, 45349; Penal Code 290.95)

#### Tuberculosis Assessment/Examination

Upon initial volunteer assignment, a volunteer shall have on file with the school a certificate showing that he/she has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis. (Education Code 49406)



## ATTACHMENT 10

### **Board Policy No. 1250, VISITORS/OUTSIDERS**

The Board of Trustees encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure the minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during noninstructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register immediately upon entering any school building or grounds when school is in session.

For purposes of school safety and security, the principal or designee may design a visible means of identification for visitors while on school premises.

No electronic listening or recording device may be used by students or visitors in a classroom without the teacher and principal's permission.

Policy Revised: 3/2/10

### **Administrative Regulation No. 1250, VISITORS/OUTSIDERS/Visits to the Classroom**

The Superintendent or designee shall post at every entrance to each school and school grounds a notice setting forth visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements.

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors while they are on school grounds.

In order to register, visitors shall, upon request, furnish the principal or designee with the following information.

1. His/her name, address and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

### **Denial of Registration**

1. The principal or designee may refuse to register any visitor if he/she reasonably concludes that the outsider's presence or acts would disrupt the school, students, or employee; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke an outsider's registration if he/she has a reasonable basis for concluding that the outsider's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff.
2. The principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform the outsider that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment.

### **Appeal Procedure**

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes

the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request.

### Visits to the Classroom

In order to ensure that classroom visits are not disruptive to the instructional program, the following procedures shall be observed:

1. Visitors wishing to observe a specific classroom shall contact the site administrator prior to the visit to establish a time that is convenient for the teacher, administrator, and visitor.
2. Visitors are to register in the school office prior to going to a classroom.
3. Parent/teacher conferences during instructional periods are not permitted.
4. The frequency of visits shall not exceed two per trimester nor shall they extend beyond one thirty (30) minute instructional period or one full instructional lesson, whichever is applicable.
5. Activities of visitors shall be limited to observation, except when arranged with an approved in advance by the teacher.
6. When requested by a teacher, the visitor shall be accompanied by the site administrator.

Nothing in these Administrative Regulations shall inhibit the use of volunteers in schools. Volunteerism is strongly encouraged.

Regulation revised: 3/2/10

## ATTACHMENT 11

### **Type 2 Diabetes Information**

Pursuant to California Education Code Section 49452.7, this type 2 diabetes information is for local educational agencies to provide to parents and guardians of incoming seventh grade students beginning July 1, 2010.

The California Department of Education developed this type 2 diabetes information in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children's Hospital of Orange County. Also see available translations of this information.

### **Description**

*Type 2 diabetes is the most common form of diabetes in adults.*

- Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

*Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.*

- The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
- In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.
- Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.
- Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

### **Risk Factors Associated with Type 2 Diabetes**

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.

### **Risk Factors**

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

- *Being overweight.* The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
- *Family history of diabetes.* Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.
- *Inactivity.* Being inactive further reduces the body's ability to respond to insulin.
- *Specific racial/ethnic groups.* Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- *Puberty.* Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

### **Warning Signs and Symptoms Associated with Type 2 Diabetes**

Warning signs and symptoms of type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has type 2 diabetes.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fats levels

### **Type 2 Diabetes Prevention Methods and Treatments**

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

- Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.
- Get more physical activity. Increase physical activity to at least 60 minutes every day.
- Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

#### **Types of Diabetes Screening Tests That Are Available**

- Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.
- Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Type 2 diabetes in children is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact your student's school nurse, school administrator, or health care provider if you have questions.

CDE Last Reviewed: August 28, 2014

## **ATTACHMENT 12**

### **Notice to Parents/Guardians: CALIFORNIA LOCAL EDUCATIONAL AGENCY PROGRAM**

Ocean View School District, in cooperation with the California Department of Health Services and Education, has a program to allow the District to be reimbursed with federal Medicaid dollars for selected health services (such as hearing and vision screenings, health assessments, and treatments) provided to eligible students at school. In accordance with Local Education Agency rules and guidelines, we are notifying you that eligible student records may be forwarded to the District's billing agency. These records will be forwarded in a confidential manner. Our vendor holds a contract with the District that contains a specific confidentiality clause to ensure information is not disclosed inappropriately. Further, our vendor is HIPAA compliant (Federal Health Insurance Portability & Accountability Act).

School health services currently provided to all students will not be changed by this program. Students will not be denied services they require to attend school, and parents will never be billed for services by the school district.

## ATTACHMENT 13

<b>SCHEDULE OF MINIMUM AND LATE START DAYS</b>	
October 18 – 22, 2021	TK-5 Parent Conference Week (Minimum Days)
November 15 – 19, 2021	Middle School Conference Week (Minimum Days)
March 21 - March 25, 2022	TK-5 Parent Conference Week (Minimum Days)
April 18 – 22, 2022	Middle School Conference Week (Minimum Days)
December 17, 2021	Winter Break Minimum Day – All Grades
December 20, 2020 – December 31, 2021	Winter Break
November 1, 2021	Student Free Day – No School
January 28, 2022	Student Free Day – No School
All Wednesdays	Minimum Days – EK, TK-5
September 16, 2021	Modified Thursday – Middle Schools
October 21, 2021	Modified Thursday – Middle Schools
November 4, 2021	Modified Thursday – Middle Schools
December 16, 2021	Modified Thursday – Middle Schools
January 20, 2022	Modified Thursday – Middle Schools
February 17, 2022	Modified Thursday – Middle Schools
March 17, 2022	Modified Thursday – Middle Schools
April 7, 2022	Modified Thursday – Middle Schools
May 19, 2022	Modified Thursday – Middle Schools
June 9, 2022	Modified Thursday – Middle Schools
June 23, 2022	Last Day of School Minimum Day – All Grades

## ATTACHMENT 14

### **Notice to Parents/Guardians: EDUCATIONAL RIGHTS**

#### **Your Child has the Right to a Free Public Education**

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students’ parents or guardians.
- In California:
  - All children have the right to a free public education.
  - All children ages 6 to 18 years must be enrolled in school.
  - All students have a right to attend safe, secure, and peaceful schools.
  - All students and staff have the right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

#### **Information Required for School Enrollment**

- When enrolling a child, schools must accept a variety of documents from the student’s parent or guardian to demonstrate proof of child’s age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

#### **Confidentiality of Personal Information**

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student “directory information.” If they do, then each year, your child’s school district must provide parents/guardians with written notice of the school’s directory information policy, and let you know of your option to refuse release of your child’s information in the directory.

#### **Right to File a Complaint**

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.

ATTACHMENT 15

## California Schools Vaccine Requirements for Kindergarten through 12<sup>th</sup> Grade

California School Immunization Laws: Health and Safety Code, Division 105, Part 2, Chapter 1, Sections 120325 – 120380; California Code of Regulations, Title 17, Division 1, Chapter 4, Subchapter 8, Sections 6000-6075

School Grade or equivalent age	Polio	DTaP/Tdap Diphtheria, Tetanus, pertussis	MMR Measles, mumps, rubella	Hep B Hepatitis B	Varicella Chickenpox
<b>Kindergarten Entry</b> (4 to 6 yrs old)	<b>4 doses required</b> 3 is OK if one was given on or after 4 <sup>th</sup> birthday	<b>5 doses required</b> 4 is OK if one was given on or after 4 <sup>th</sup> birthday	<b>2 doses required</b> Both on or after 1 <sup>st</sup> Birthday	<b>3 doses required</b> Given at any age	<b>2 doses required</b> If had disease, vaccine is not required, must be confirmed by MD.
School Grade or equivalent age	Polio	DTaP/Tdap Diphtheria, Tetanus, pertussis	MMR Measles, mumps, rubella	Hep B Hepatitis B	Varicella Chickenpox
<b>2<sup>nd</sup> through 6<sup>th</sup> Grade</b> (7 - 11 yrs old)	<b>4 doses required</b> 3 is OK if one was given on or after 2 <sup>nd</sup> birthday	<b>4 doses required</b> 3 is OK if one was given on or after 2 <sup>nd</sup> birthday	<b>2 doses required</b> Both given on or after 1 <sup>st</sup> Birthday	<b>3 doses required</b> Given at any age	<b>2 doses required</b> If had disease, vaccine not required, must be confirmed by MD.
School Grade or equivalent age	Polio	DTaP/Tdap Diphtheria, Tetanus, pertussis	MMR Measles, mumps, rubella	Hep B Hepatitis B	Varicella Chickenpox
<b>7<sup>th</sup> grade Entry</b> (age 11 – 13 yrs old)	<b>4 doses required</b> 3 is OK if one was given on or after 2 <sup>nd</sup> birthday	<b>4 doses plus booster</b> Tdap booster given on or after the 7 <sup>th</sup> birthday	<b>2 doses required</b> Both given on or after 1 <sup>st</sup> birthday	<b>3 doses required</b> Given at any age	<b>2 doses required</b> If had disease, vaccine not required, must be confirmed by MD.
School Grade or equivalent age	Polio	DTaP/Tdap Diphtheria, Tetanus, pertussis	MMR Measles, mumps, rubella	Hep B Hepatitis B	Varicella Chickenpox
<b>9<sup>th</sup> through 12<sup>th</sup> Grades</b> (age 14 – 17 yrs old)	<b>4 doses required</b> 3 is OK if one was given on or after 2 <sup>nd</sup> birthday	<b>4 doses plus booster</b> (2011 – 2012) school year Tdap booster given on or after the 7 <sup>th</sup> birthday	<b>2 doses required</b> Both given on or after 1 <sup>st</sup> Birthday	<b>3 doses required</b> Given at any age	<b>2 doses required</b> 2 if immunized on or after 13 <sup>th</sup> birthday

## ATTACHMENT 16

### English Learner Programs (EC 310):

**Structured English Immersion (SEI)** is the state-recommended mandated program for English learners and designed for students with less than “reasonable fluency”. It is defined as an English acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language (CA. Ed. Code Section 300). Students who are at the early stages of English proficiency (ELPAC overall 1 or 2) receive the content curricula overwhelmingly in English. Some assistance may be provided in the primary language. Students are taught English Language Development (ELD) and other core subjects taught by authorized teachers using District-adopted textbooks and supplementary materials. Instruction is based on ELD standards and grade-level content standards. This program is designed to ensure that students gain reasonable fluency in English while at the same time mastering grade level academic content. Once students reach reasonable fluency (ELPAC overall 3 or 4) they may then be placed in a mainstream program.

English learners who have attained reasonable fluency or a “good working knowledge” of English are placed in an **English Mainstream Program (ELM)**. This program is available to students at all proficiency levels. An English Learner shall be transferred from an SEI program to an English Mainstream program when the child has acquired a reasonable level of English proficiency (Ed. Code 305). However, a parent or guardian may have his or her child moved into an English Language Mainstream program at any time, including during the school year (California Code of Regulations [CCR], Title 5, section 11301). The program is designed to continue the development of English, through ELD instruction while providing content instruction in English. Students are taught ELD and other core subjects by authorized teachers using District-adopted textbooks and supplementary materials. Instruction is based on ELD standards and grade-level content standards. Specially Designed Academic Instruction in English (SDAIE) is a major feature of this program. Mainstreamed English learners require careful monitoring and attention to their progress towards reclassification.