

FREMONT UNION HIGH SCHOOL DISTRICT

Cupertino High School | Fremont High School | Homestead High School | Lynbrook High School | Monta Vista High School | Adult School

ANNUAL NOTIFICATION OF PARENT/LEGAL GUARDIAN AND STUDENT RIGHTS AND RESPONSIBILITIES



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INTRODUCTION

Dear Parents and Legal Guardians,

School districts in California are required to annually notify students, parents, and legal guardians of their rights and responsibilities. This is the annual notice to parents/legal guardians of students enrolled in programs in the Fremont Union High School District, (hereinafter referred to as FUHSD). This notice, which is required by Educational Code 48980, provides important information about federal laws and state education codes, as well as information relating to the rights and responsibilities of parents or legal guardians of children. The abbreviation of "EC" that is found after the title of most sections refers to the California Education Code (EC), the abbreviation "BP" refers to District Board Policies and "AR" refers to Administrative Regulations. The District's BP's and AR's can be accessed online at www.fuhsd.org/policies.

Fremont Union High School District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

Please review this information carefully as it applies directly to you and your child's participation in our educational programs. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact your school administrator. They will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

The online system for Back to School Updates and Annual Notifications is now open for parents/legal guardians to complete for current 9th, 10th, 11th, 12th, and US grade students who are returning for the 2024-25 school year. You should have received an email in March requesting you to complete the Back to School Updates/Annual Notifications. If you didn't receive the email please contact your school site Data Technician. You are required to complete the Back to School Updates and acknowledgements therein before students may return to school. For students who are new to FUHSD for the 2024-25 school year, including incoming 9th graders, the Annual Notifications were part of the Online Registration process, and no further action is required at this time.

If you would like a hard copy of the Annual Notification, you can request one directly from your school site.

HAVE YOU MOVED?

If you have recently moved, you must document your change of address within 14 days of your date of move. Changes of address must be done using the online digital Change of Address Form that can be found on the district website: fuhsd.org/enrollment. You will be required to upload address verification documents. **Failure to notify the Enrollment Office and provide proof of primary address could delay your child's placement into classes.**

If your student will **NOT BE ATTENDING** Fremont Union High School District schools for the 2024-25 school year, please immediately notify your student's school: Cupertino High School 408-366-7379, Fremont High School 408-522-2405, Homestead High School 408-522-2503, Lynbrook High School 408-366-7710, and Monta Vista High School 408-366-7610.

2024-25 SCHOOL CALENDAR SUMMARY

August 19	First Day of School
September 2	Labor Day - no classes
October 14	Teacher Workday - no classes
November 11	Veterans Day - no classes
November 27-29	Thanksgiving Break - no classes

December 23– January 3	Mid-Year Break - no classes
January 6	School Resumes - 2nd Semester
January 20	Martin Luther King Day - no classes
February 17-21	Winter Break - no classes
March 17	Teacher Workday - no classes
April 14-18	Spring Break - no classes
May 26	Memorial Day - no classes
June 5	Last day of school year

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FOR FREMONT UNION HIGH SCHOOL DISTRICT

Academic Honesty Policy

DISTRICT PHILOSOPHY: “PURSUING EXCELLENCE WITH INTEGRITY”

The Fremont Union High School District is committed to advancing the pursuit of intellectual excellence and to maintaining the highest standards and expectations for academic integrity among all students. We believe in establishing a school climate that promotes ethical and responsible student conduct. In conjunction with that belief, we support the development of a school culture that furthers our academic mission and recognizes the hard work of students and faculty alike. We are convinced that neither pressure for grades, inadequate time for studying or completing an assignment, nor unrealistic parental expectations justify students acting dishonestly. As a professional learning community, we affirm that “learning for learning’s sake” is intrinsically valued, and we will not tolerate any infractions that create or result in an unfair academic advantage for one student, or a disadvantage for another. In short, any form or act of academic dishonesty will undermine our standards of excellence and violate the trust that bonds all members of the school community.

DEFINITION OF ACADEMIC DISHONESTY

Academic dishonesty is using a person’s work, concepts, designs, data, ideas, research, or documentation, without giving proper credit to the source. It goes beyond plagiarism to also include lying, cheating, using or providing unauthorized materials in preparation for an exam/test/quiz, or using or providing unauthorized materials during an exam/test/quiz, and other acts, such as the theft or falsification of records and files.

FORMS OF ACADEMIC DISHONESTY (EXAMPLES INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING):

Academic dishonesty is an act in which a student:	Examples include but are not limited to:
1. Commits plagiarism	<ul style="list-style-type: none"> ● Copying any work assigned to be done independently. (It is the responsibility of teachers to clarify expectations about homework and projects with their classes, preferably in writing on their course syllabi.) ● Copying or closely paraphrasing sentences, phrases, or passages from an un-cited source while writing a paper or doing research ● Using the views, opinions, or insights of others without proper acknowledgement
2. Submits falsified or invented work/information instead of actually doing the work, research, or task themselves	<ul style="list-style-type: none"> ● Changing or creating data in a lab experiment ● Writing up a fake interview ● Lying about attendance or ability to complete assignments and/or assessments ● Lying about other people being responsible for low grades or missing scores/assignments ● Claiming credit for work in a group project when work was done by others ● Attempting to misrepresent the authorship of student work, i.e., having someone else write a paper
3. Uses unauthorized tools or materials in any academic work	<ul style="list-style-type: none"> ● Accessing and/or using copyrighted test bank questions or any materials designed for instructors’ use only ● Looking at someone else’s work product, during an exam, test, or quiz ● Collaborating on an exam, test, quiz or assignment with any other person without prior approval from the teacher ● Using any kind of “cheat notes” during an exam, test, or quiz ● Using an electronic device (calculator, cell phone, camera, laptop/tablet, or other gadgets) to give or receive or copy information before, during, or after an exam, test, or quiz ● Having unauthorized access to or using stolen exams, tests, or quizzes ● Providing or selling exam, test, or quiz information to other students ● Using an on-line translator for more than words or phrases
4. Misuses or falsifies academic documents	<ul style="list-style-type: none"> ● Altering a transcript or report card ● Signing another person’s name to an attendance roster or grade check ● Forging a hallway pass
5. Purposefully damages or hinders the work of others	<ul style="list-style-type: none"> ● Hiding books or reference materials needed to complete an assignment ● Tampering with lab experiment, art project, or electronic files of another student. ● Fabricating or altering laboratory data

6. Assists other students in any of these acts	<ul style="list-style-type: none"> ● Knowingly allowing someone else to look at one's work product during an exam, test, or quiz ● Letting others copy one's work. (It is the responsibility of teachers to clarify expectations about homework and projects with their classes, preferably in writing on their course syllabi.)
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TEACHER'S PROFESSIONAL JUDGMENT

A teacher's professional judgment guides the implementation of the FUHSD Academic Honesty Policy. The teacher is responsible for setting the academic expectations, explaining the consequences of the Policy, evaluating any evidence of student misconduct in light of the Policy, and determining whether the Policy has been violated. Students are to conduct themselves in a sensible manner and not give the teacher cause to consider their actions a violation of the FUHSD Academic Honesty Policy.

CONSEQUENCES FOR VIOLATIONS

The District considers violations of the FUHSD Academic Honesty Policy to be serious offenses and has therefore instituted the following consequences. The consequences apply on a schoolwide and districtwide basis, i.e., a violation in one class follows a student to a different class within the school, and a violation at one school follows a student to a different school within the District. Additionally, violations of the FUHSD Academic Honesty Policy are cumulative for all the years a student is enrolled in the Fremont Union High School District.

First Offense

- The student will have a reduction in grade/credit (up to, and including, an "F" grade/ "0" credit) on the assignment, exam, test, or quiz based upon the teacher's grading system.
- The student's semester grade may, at the teacher's discretion, be lowered by one full letter grade.
- The teacher will confer with the student and contact the parent/legal guardian by phone or e-mail to review the academic dishonesty incident within two school days of becoming aware of the incident.
- The teacher will submit a written referral, with appropriate documentation, to an administrator who will meet with the student and the counselor and document the incident/follow-up action in the student information system, Infinite Campus.
- Disciplinary actions may include, but are not limited to, a warning and a signed student/parental statement that acknowledges the violation/penalty and indicates an understanding of further consequences for any subsequent offenses. Additionally, a student will be suspended from school, even on a first offense, in accordance with Education Code Section 48900, if a violation has occurred in the following areas:
 - Alteration or falsification, or attempted alteration/falsification, of records (e.g., transcripts)
 - Theft, or attempted theft, of records or testing materials (exams/tests/quizzes)
- The student may be barred from participation or having a leadership role in a club, scholarship group, student government, athletic team, or other extracurricular activity for a period of one year from date of the violation.

Second Offense

Consequences listed in the First Offense and ONE OR MORE of the following:

- A conference will be held with an administrator, parent/legal guardian, teacher, counselor, and student, and the incident/follow-up action will be documented in Infinite Campus.
- The student will be given an "F" for the six-week grading period in which the incident occurred.
- The student will be dropped from the class with a grade of "F."
- The student will be suspended from school.

Third/Continuing Offenses

Consequences listed in the First Offense and ONE OR MORE of the following:

- A conference will be held with an administrator, parent/legal guardian, teacher, counselor, and student, and the incident/follow-up action will be documented in Infinite Campus.
- The student will be dropped from the class with a grade of "F."
- The student will be suspended from school.
- The student may be referred to the District's Placement Advisory Committee for transfer to another school.

APPEALS PROCESS

Students wishing to contest decisions resulting from the administration of the FUHSD Academic Honesty Policy may submit their appeals in writing to the principal.

SHARED RESPONSIBILITY FOR ACADEMIC HONESTY

Administrators, teachers, parents/legal guardians and students must understand, accept, and share responsibilities if this policy is to be effective.

Student Responsibilities

The student will:

- set aside sufficient time to study
- participate actively in class and attend regularly
- protect work—do not lend or borrow work
- observe test time limits
- not look at another's test or allow their test to be seen
- not talk during a test or about the test until all classes have had a chance to take it
- not represent as their own the work of a parent/legal guardian, brother, sister, or anyone else
- not change a test item in any way when the test is returned for review
- not allow one member of a team to do the whole task
- learn how to attribute work properly by citation, footnote, and bibliography
- not enter teacher offices and other restricted areas without permission and/or being accompanied by a staff person

Parental/Legal guardian Responsibilities

The parent/legal guardian will:

- communicate to the student values of moral and ethical behavior
- refrain from placing undue pressure for high grades at any cost
- be aware of a student's need for a quiet time and a place to study
- support the student's efforts, but not edit, type, or in any other way do the work
- encourage wise use of time

Teacher Responsibilities

The teacher will:

- review at the beginning of the school year the FUHSD Academic Honesty Policy along with their course descriptions/syllabi/green sheets that spell out clearly the consequences for academic dishonesty in their classes; review the various examples and forms of academic dishonesty that should be avoided
- be specific as to whether work is to be cooperative or individual, i.e., clarify the definition and expectation of "group work"
- keep completed assignments and tests secure
- inform students if unannounced tests will be used in the course
- ensure that grades in mark documents and the grade book are private and safe; not allow teaching assistants (TA's) to make or maintain grade entries

Administrator Responsibilities

The administrator will:

- provide copies of the FUHSD Academic Honesty Policy to all teachers for distribution to students
- place the signed FUHSD Academic Honesty Policy Parent/Legal guardian/Student Agreement Statement in cumulative folders
- support teachers in administering discipline and upholding the FUHSD Academic Honesty Policy
- record incident/follow-up action in Infinite Campus; inform teachers about outcome of the referral
- review on a case-by-case basis the need to reference infractions on Secondary School Reports
- facilitate conferences and counsel students in every case of academic dishonesty
- communicate with teachers about students who have prior violations
- collaborate with teachers in maintaining a secure digital and physical environment
- review and resolve appeals

One of the goals of the Fremont Union High School District (FUHSD) is to assist in advancing the use of technology to enhance student learning. Access to technology is a privilege, not a right, and students enrolled in FUHSD programs or activities must

follow FUHSD guidelines and procedures regarding responsible use of technology. FUHSD shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using FUHSD technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability. The complete FUHSD Technology Use Agreement (Responsible Use Handbook) for Students can be accessed on the District's website:

www.fuhsd.org/parents/annual-notifications Click on Individual Policies and Agreements

In the spring, an email notification is sent to families of current students with instructions for completing the Back to School updates which includes acknowledgement of these Annual Notifications, the Academic Honesty Policy, and the District Technology Use Agreement. New students enrolling for the 2024-25 school year completed the Annual Notifications as part of the Online Registration process.

Advanced Placement Exam Fees– EC 48980(k), 52241

Local and grant funds are available to cover the costs of Advanced Placement examination fees for any eligible economically disadvantaged student, as defined by Education Code 52241, who is enrolled in an Advanced Placement course. For more information, contact your school site's AP Coordinator.

Asbestos Management Plan – Title 40 Code of Federal Regulations 763.93, BP 3514

As required by the Environmental Protection Agency's (EPA) Asbestos Hazard Emergency Response Act (AHERA), an inspection of asbestos containing building materials (ACBM) was conducted by Haz Mat Doc Inc. of Santa Clara, California in Summer of 2022. This inspection was conducted by EPA-accredited inspectors in accordance with guidelines established by the EPA. This inspection identified areas of ACBM having the potential for release of asbestos fibers. All areas noted by the inspectors were completed during June 2022.

To eliminate the potential of future harm, the Fremont Union High School District has a continuing periodic surveillance and maintenance program which ensures that ACBM does not become hazardous. A copy of the school's Asbestos Management Plan, the results of the June 2019 inspection and other asbestos records are located in the school administration office and with Roger Silveira, Director of Facilities & Bond at (408) 522-2256/Isabel Chadinha, Coordinator of Facilities 408-522-2258 at FUHSD District Office, 589 West Fremont Avenue, Sunnyvale. This documentation is public information and is available for your review. If you have any questions or concerns, please contact Roger Silveira, Director of Facilities & Bond at (408) 522-2256.

Attendance

District Expectations Regarding Attendance - AR 5113

Students are expected to have on-time, regular school attendance. Parents/legal guardians are expected to support such attendance and to contact the school promptly when a student is absent. When a student has accrued absences due to illness equal to or surpassing ten percent (10%) of the school days, from the date of enrollment to the current day, subsequent absences may be verified by a physician, school nurse, or other school personnel for each additional absence. Absences must be cleared daily, unless other arrangements are made with the school principal or designee. Failure to provide verification from the physician or school health services support specialist will result in those additional absences being recorded as unexcused. Each principal shall be responsible for specific implementation of the District Attendance Policies and Procedures at their school, including written communication regarding the District and School attendance procedures. Students who fail to abide by District expectations regarding attendance, including those who are truant or those students with excessive excused absences may be referred to Truancy Mediation or be required to appear before the District Attorney.

Excused Absences – EC 46014 and 48205, AR5113

Pupils, with the written consent of their parents or legal guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction.

No pupil shall have their grade reduced or lose academic credit for any excused absence or absences, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
 - (1) Due to their 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 their 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 pupil is the custodial parent.
 - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of their 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 pupil's absence is requested in writing by the parent or legal guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 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.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil 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 set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

Availability of Prospectus – EC 49063 and 49091.14

The Fremont Union High School District annually compiles a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered; each school site draws from the district prospectus to create one specific to the course offerings at the site. Each school site shall make its prospectus available for review upon request or on the school's website.

California Assessment of Student Performance and Progress— EC 60641, 5 CCR 852, AR 6162.5

California's testing program, the California Assessment of Student Performance and Progress (CAASPP), is based on California Common Core State Standards (CCSS) for English-Language Arts and mathematics. These computer-based assessments, developed by the Smarter Balanced Assessment Consortium, are a measure of student readiness for college and careers, and are administered once in high school to 11th graders. In addition to the Smarter Balanced assessments, CAASPP includes the California Alternate Assessment (Cal-Alt) for eligible 11th graders, and the California Science Test (CAST), or California Alternate Assessment Science (Cal-Alt Sci) test for students in designated grade levels.

California Education Code 60615 states that a parent/legal guardian may annually submit to the school a written request to excuse their student from any or all parts of the statewide assessments (CAASPP). While Fremont Union High School District will honor such requests, the District encourages all students to participate in and give their best efforts for CAASPP testing. These tests have a significant impact on a school's overall performance ratings and state rankings which, in turn, can affect the perception of a school in the community as well as among colleges and universities. CAASPP scores are also a requirement for students to qualify for awards in their senior year such as the California Seal of Biliteracy and Golden State Seal Merit Diploma. However, if it is the parents/legal guardian desire to excuse their student from testing, upon receipt of the written request of the parent/ legal guardian, the student will be excused from any or all parts of the current year's

statewide assessments (CAASPP). If a parent or legal guardian submits an exemption request after testing has begun, any test(s) started before the request is submitted will be completed and scored, and the results will be reported to the parent or legal guardian and included in the student's records. A student or parent/legal guardian may authorize release of CAASPP assessment results to postsecondary institutions for the purposes of determining credit, placement, readiness for college-level work, or admissions. For more information, see the Testing page of the FUHSD website at www.fuhsd.org/testing.

Child Abuse and Neglect Reporting – BP 5141.4

The Board of Trustees recognizes that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

Employees who are mandated reporters, as defined by law and district administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

The Superintendent or designee shall provide training regarding the reporting duties of mandated reporters.

Parents/legal guardians may contact Graham Clark, Superintendent to obtain procedures for filing a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site.

Communicable Diseases and/or Rashes

- California Code of Regulations Title 5, 202 states "A pupil while infected with any contagious or infectious disease may not remain in any public school." Education code 49451 states that "Whenever there is reason to believe that the child is suffering from a recognized contagious or infectious disease, they shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious disease does not exist."

Immediately notify your school if your child has been diagnosed with any of the Communicable Diseases listed on the Santa Clara County's [Exposure Notice for Schools and Childcare](#)

[Communicable Disease Case and Outbreak Toolkit for School and Childcare](#)

- Any student with an undiagnosed rash must be excluded from school if the rash is:
 - accompanied with behavior change or fever
 - has oozing open wound
 - has bruising not associated with injury
 - has joint pain and rash
 - unable to participate
- Diagnosis and release to return to school must be obtained from a health care professional before the student is permitted to return to school.
- [California Department of Public Health](#)

Comprehensive Sexual Health and HIV Prevention Education – EC 51930-51939, BP 6142.1

The purpose of the California Healthy Youth Act (Education Codes 51930 through 51939) Comprehensive Sexual Health and HIV Prevention Education is to:

- Provide every student with the knowledge and skills necessary to:
 - protect their sexual and reproductive health from unintended pregnancy and sexually transmitted infections including HIV;
 - develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family;
 - have healthy, positive, and safe relationships and behaviors;

- promote understanding of sexuality as a normal part of human development; and
- ensure pupils receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction.

FUHSD staff will provide instruction in comprehensive sexual health education and HIV prevention education. Parents/legal guardians may request an opportunity to review the instructional materials used for this curriculum, and may request copies of Education Codes 51930-51939. Parents/legal guardians may also remove their student from receiving part or all comprehensive sexual health or HIV prevention education by submitting a written request to the school. If the school chooses to use outside consultants or guest speakers to deliver the comprehensive sexual health and HIV prevention education curriculum, parents/legal guardians will be informed at least 14 days prior to the instruction with the date of the instruction and the name of the organization or affiliation of the guest speaker.

Confidential Medical Services Release - EC 46010.1, AR 5113

Students may be excused from classes for the purpose of obtaining confidential medical services without the consent of the student's parent or legal guardian.

Consent to Bill Medi-Cal and Release Information

All public school districts and County Offices of Education are referred to as Local Educational Agencies (LEAs). Through the Medi-Cal LEA Billing Option, the LEA(s) providing special education and related services to students may submit claims to California Medi-Cal in order to receive federal funds to help pay for health-related special education and related services as identified on their Individualized Education Program (IEP). In addition, LEA(s) providing health-related services to any student may submit claims to California Medi-Cal in order to receive federal funds to help pay for those identified services.

Your consent is voluntary and can be revoked at any time. If you do revoke consent, the revocation is not retroactive so it does not negate any billing that occurred after consent was given and before it was revoked. Your consent will not result in a denial or limitation of community-based services provided outside of school. If you refuse to consent for the school district and/or the County Office of Education to access California Medi-Cal to pay for health-related services, the school district and/or County Office of Education must still ensure that all required services are provided at no cost to you.

This consent is good for one year unless you withdraw your consent before that time.

Information about your child and family is strictly confidential. Your rights are preserved under Title 34 of the Code of Federal Regulations, Section 300.154; Family Education Rights Privacy Act of 1974; Title 20 of the United States Code, section 1232(g); and Title 34 of the Code of Federal Regulations, Section 99.

When providing these services, an LEA may not:

- Require parents/legal guardians to incur any out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for services and reimbursement through Medi-Cal (34 CFR§300.154(d)(2)(ii)).
- Use a student's benefits under Medi-Cal if that use would decrease available lifetime coverage or any other insured benefit; result in the family paying for services that would otherwise be covered by the public benefits or insurance program (Medi-Cal) and are required for the child outside of the time the child is in school; increase premiums or lead to the discontinuation of public benefits or insurance (Medi-Cal); or risk loss of eligibility for home and community-based waivers, based on aggregate health related expenditures (34 CFR § 300.154(d)(2)(iii)9A-D)).

If you wish to revoke your consent, please email Renee Olivarez, Educational Services Executive Assistant at renee_olivarez@fuhsd.org. If you have questions or would like more information about this process and the services that are provided within our schools please call Nancy Sullivan, Director of Educational and Special Services: 408-522-2232.

Diabetes – Type 1 Diabetes Information - EC 49452.6

Type 1 diabetes (T1D) usually develops in children, teens, and young adults, but it can happen at any age. In T1D, the insulin-producing beta cells in the pancreas stop making insulin and the immune system attacks and destroys the insulin-producing cells, which is why the condition is referred to as an autoimmune disease. Viral infections can cause development of T1D. Diet and lifestyle habits do not cause T1D. Warning signs of T1D may occur suddenly but have been developing over weeks or months. Many family members do not recognize the signs. Increased urination and thirst are the initial signs of diabetes in

children. Other symptoms include drowsiness or lethargy, increased appetite but inexplicable weight loss, sudden blurry vision, excessive urination, urinary infections, fruity odor on the breath, heavy or labored breathing, and stupor or unconsciousness. Children might also seem to be more irritable and restless than usual. It is recommended that the parent/legal guardian of a child displaying warning signs associated with T1D consult with the child's primary care provider immediately for an accurate diagnosis. For more information on T1D risk factors, diabetes screening tests, recommendations for students diagnosed with T1D, and other resources please visit www.fuhsd.org/parents/health-forms

Directory Information – EC 49073

“Directory Information” includes 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 public or private school attended by the student.

Directory information does not include a student's citizenship status, immigration status, place of birth, or any other information indicating national origin.

(a) The school district shall determine which individuals, officials, or organizations may receive directory information. However, no information may be released to a private profitmaking entity other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment before graduation may be provided to a private school or college operating under Chapter 8 (commencing with Section 94800) of Part 59 of Division 10 of Title 3 or its authorized representative. However, no such private school or college shall use that information for other than purposes directly related to the academic or professional goals of the institution. In addition, the privilege of the private school or college to receive the information shall be suspended for a period of two years from the time of discovery of the misuse of the information. Any school district may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of pupils.

(b) Directory information may be released according to local policy as to any pupil or former pupil. However, notice shall be given at least on an annual basis of the categories of information that the school district plans to release and of the recipients. This Annual Notifications packet serves as notice of the District's plans to release directory information to local education partners in support of students and educational purposes, such as community colleges, feeder districts, and parent/community non-profit organizations. Directory information shall not be released regarding a pupil if a parent/legal guardian of that pupil has notified the school district that the information shall not be released.

(c) Directory information shall not be released regarding a pupil identified as a homeless child or youth, as defined in paragraph (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), unless a parent/legal guardian, or pupil accorded parental rights, as identified in the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g), has provided written consent that directory information may be released.

Directory information shall not be released regarding any student when a parent/legal guardian has notified the Registrar at their school site, in writing, that such information shall not be released. (EC 49073).

Disaster Preparedness Educational Materials – EC 32282.5

Each school has a disaster preparedness plan and conducts regular fire, earthquake and disaster drills. For a copy of your school's Safety Plan, contact the principal of your school.

Education for English Language Learners BP/AR 6174

The Board of Trustees intends to provide English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study.

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level. Such instruction shall be based on sound instructional theory, be aligned with state content standards, emphasize inquiry-based learning and critical thinking skills, and be integrated across all subject areas.

In the Fall of each year, each EL student receives a written notification about their assessment scores (ELPAC) and their placement into an EL program.

Eligibility Requirements for Extracurricular and Co-curricular Activities - BP 6145; EC 35160.5

Eligibility

To be eligible to participate in extracurricular and co-curricular activities, students in grades 9 through 12 must demonstrate satisfactory educational progress in the previous grading period including but not limited to: (Education Code 35160.5)

1. Maintenance of minimum progress toward meeting high school graduation requirements of passing 25 units in the previous grading period.
2. Maintenance of minimum 2.0 grade point average on a 4.0 scale in all enrolled classes.
3. Enrolled and passing courses totaling 25 or more credits each grading period (This may include Community College Courses).
Exception: Seniors who are on target for graduation and are enrolled in and passing courses totaling 20 or more credits.
4. If a student is listed as having more than seven classes, the extra athletic team grades shall not be utilized for listed eligibility criteria. (i.e. on track for graduation, 2.0 grade point average, passing and enrolled in five classes and/or probation eligibility).

Probation

The Superintendent or designee may grant ineligible students a probationary period of not more than one grading period.

1. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation,
2. Freshmen enter on probation. Eligibility for freshmen in the Fall will be established at the end of the first grading period.
3. Eligibility for transfer students will be determined after grades arrive, at which time the student is determined to be eligible or remains on probation until the end of the next grading period. Eligibility for transfer students must also meet Central Coast Section guidelines.

Emergency Information - EC 49408

Parents/legal guardians are required to provide and keep current emergency contact information in order to facilitate communication in the event of an accident or illness.

Employee Interactions with Pupils – Assembly Bill 500, BP 4119.21, 4219.21, 4319.21

All FUHSD employees attend Human Resources orientation. This orientation session includes information on the FUHSD Employee Code of Ethical Conduct BP/AR 4044.1.

All FUHSD employees are **required** to complete and pass an online Mandatory Child Abuse Reporting course.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their student's education records. These rights transfer to the student when they reach the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. 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.

Parents or eligible students have the right to request in writing that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a

formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth their view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational 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
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date of birth, honors and awards, and dates of attendance. However, schools must tell 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. See "Directory Information" section in this packet for more information. This Annual Notifications packet serves as notice to parents and eligible students of their rights under FERPA.

For additional information or technical assistance, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the Federal Relay Service.

The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-58520

Federal Elementary and Secondary Education Act

Parents may request information and the professional qualifications of their child's classroom teachers. Requests should be made in writing and directed to the attention of Greg Giglio, Director of Human Resources. Parents will receive a written response informing them of the following:

- If their child's teacher has met State qualifications for grade levels and subject areas taught
- If their child's teacher is teaching under an emergency credential or other provisional status
- If their child is receiving services from a paraprofessional and if so, their qualifications
- The baccalaureate degree major of the teacher or any other graduate certification or degree held by the teacher and the field of discipline or certification or degree.

Free and Reduced-price Meals – EC 49510, AR 3553

All brunch and lunch meals will be offered free of charge for school year 2024-25. However, parents or legal guardians can submit a free or reduced-price meal application. Families that qualify for free or reduced-price meals can avail additional benefits like discounted utilities, internet access, testing fee waivers, bus passes etc. Application forms may be obtained at the school office and can also be downloaded from the FUHSD website under Departments/Nutrition Services. Online meal applications are also available and can be accessed on the district website <https://www.fuhsd.org/departments/nutrition-services/meal-applications>

Grounds for Suspension and Expulsion – EC 48900

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of their own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational

institution that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on their physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with their academic performance.

(D) Causing a reasonable pupil to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, or image.

(ii) A post on a social network Internet Web site, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with their exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to or coming from, a school-sponsored activity.

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

(u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use their discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

(w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

Students Convicted of Violent Felony or Misdemeanor – BP 5116.2

A student may be transferred to another district school if they are convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which they were convicted. (Education Code 48929)

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. They shall also notify the student and their parents/legal guardians of the right to request a meeting with the principal or designee. (Education Code 48929)

Harm or Destruction of Animals – EC 32255

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform their teacher of the objection. Objections must be substantiated by a note from the pupil's parent or legal guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

Health Examination for School Entry

- **Immunizations – EC 49403 and 48980, Health & Safety Codes 120325 to 120375, BP 5141.31**
Children in California are required to receive immunizations against certain communicable diseases in order to attend school. Students are prohibited from attending school until the immunization requirements are met. All students must show evidence of immunization against poliomyelitis, DPT/TD (Diphtheria, Pertussis, and Tetanus), Whooping Cough/Pertussis booster (at 7th grade or out-of-state transfer admission) and MMR (Measles, Mumps and Rubella) and Varicella upon initial registration into a school. For more information about immunization requirements, please refer to [CDPH Immunization Branch/Resources for Parents](#)

A temporary or permanent medical exemption through the [California Immunization Registry \(CAIR-ME\)](#) can only be issued by a physician licensed in California. Schools may only accept new medical exemptions that are issued using CAIR-ME. In order to receive a medical exemption, parents must create a CAIR-ME account and submit a request for a medical exemption. Next, the child's physician can complete the medical exemption in CAIR-ME and print a copy for the parents to submit to the school.

Grade	Number of Doses Required of Each Immunization ^{1, 2, 3}				
K-12 Admission	4 Polio⁴	5 DTaP⁵	3 Hep B⁶	2 MMR⁷	2 Varicella
(7th-12th)⁸	K-12 doses	+ 1 Tdap			
7th Grade Advancement^{9,10}	1 Tdap⁸				2 Varicella¹⁰

- **TB Risk Assessment for School Entry**

Beginning June 1, 2014, the Santa Clara County Tuberculosis (TB) School Mandate changed from a requirement for universal TB testing to a requirement for universal TB risk assessment. TB risk assessment and test results (if indicated) must be submitted prior to school entry; documented TB risk assessment **up to twelve months prior to registration for school is considered valid.**

Students who have a positive risk assessment should have a TB test. All children with a positive TB test should undergo medical evaluation, including a chest x-ray. Chest x-ray is not required for children with documented prior treatment for TB disease, documented prior treatment for latent TB infection, or BCG-vaccinated children who have a positive TST and negative IGRA. The results of the chest x-ray should be included on the form. If the chest x-ray is normal and the child has no TB symptoms, they may start school. If the child has symptoms or an abnormal chest x-ray consistent with TB disease, the child must undergo further evaluation and cannot enter school unless active TB disease has been excluded or treatment has been initiated.

The requirement applies to the following students entering a public or private school in Santa Clara County beginning June 1, 2014 and later:

1. All students entering into kindergarten for the first time.
2. All students transferring to Santa Clara County schools into kindergarten through twelfth grade from a school outside of Santa Clara County.

Santa Clara County Department of Public Health requires that all students entering from outside Santa Clara County must have a Tuberculosis Risk Assessment or Mantoux Tuberculosis Test if needed, or Assessment before starting school.

For more information, please refer to:

- [School Mandate Packet for Parents and Legal Guardians](#)
- [TB Risk Assessment for School Entry Form](#)

High School Graduation Requirements: Foster Youth – EC 51225.1

A pupil who is identified as a foster youth or defined as eligible under Section 51225.2, and who transfers schools after the completion of their second year of high school may qualify for an exemption from local graduation requirements that are above the state requirements. Within 30 days of the pupil transferring schools, the school district will determine whether the pupil is reasonably able to complete all district graduation requirements by the end of the fourth year, or qualifies for the exemption. Once the determination is made, the district will notify the student and parent/legal guardian or education rights holder of the decision and any potential impact on the pupil's postsecondary education plans.

Homeless Youth Education – 42 United States Code 11432

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

The federal McKinney-Vento Homeless Assistance Act ensures educational rights and protections for children and youth experiencing homelessness. This includes children and youth who are living with a friend, relative or someone else because the family has lost their housing; children and youth staying in a motel or hotel due to lack of adequate alternative accommodations; children and youth living in an emergency or transitional shelter or a domestic violence shelter; and children and youth who are living in cars, parks, public spaces abandoned buildings, etc. It is the policy of Congress that students in homeless situations shall have access to the education and other services they need to ensure they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

Services provided to students identified as homeless include:

- Every local education agency designates a staff person to act as the educational liaison for students in homeless situations.
- Students have the option of remaining in their school of origin to the extent feasible or transferring to the local school in the current attendance area when moving to a different address or community. The parent/legal guardian determines which school is in the child's best interest.
- Students are immediately enrolled in school even if they do not have the documents required. The Liaison can request the necessary documents from previous schools or help to schedule required immunizations.
- Students will be provided transportation to and from school at the parent's request.
- Students will be provided free/reduced lunch.
- Students will be provided Title 1 services.
- School districts will establish a dispute resolution process to resolve disagreements between parents and the district. Families living in homeless situations may contact the Liaison to help them put the disagreement into writing.

The District McKinney Vento Liaison (for homeless or displaced youth) is Alison Coy. Contact Alison_Coy@fuhdsd.org 408-522-2275, 589 W Fremont Ave, Sunnyvale, CA 94087

Identification of Individuals for Special Education – EC 56301, BP 6164.4

The Board of Trustees recognizes the need to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)

(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals. (Education Code 56301)

The district's identification procedures shall include methods for utilizing referrals from parents/legal guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with standards-based adaptations to the regular instructional program. (Education Code 56302)

The Superintendent or designee shall notify parents/legal guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/legal guardians of procedures for initiating a referral for assessment to identify individuals who need special education services. (Education Code 56301)

Instruction for Pupils with Temporary Disabilities – EC 48980, 48206.3, 48207 and 48208

A pupil with a temporary disability that makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in person.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

It is the responsibility of the parent or legal guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability.

If your child needs Home School Instruction due to a temporary or chronic health condition, contact your home school administrator and/or guidance counselor to set up a meeting to discuss Medical Educational Placement (MEP) options. Upon receipt of the notification, the district will within five working days initiate the MEP process in order to determine whether the pupil will be eligible to receive individualized instruction pursuant to EC 48206.3.

Insurance - EC 49472, BP 5143

The governing board of any school district or districts which does not employ at least five physicians as full-time supervisors of health, or the equivalent thereof, may provide, or make available, medical or hospital service, or both, through nonprofit membership corporations defraying the cost of medical service or hospital service, or both, or through group, blanket or individual policies of accident insurance or through policies of liability insurance from authorized insurers, for injuries to pupils of the district or districts arising out of accidents occurring while in or on buildings and other premises of the district or districts during the time such pupils are required to be therein or thereon by reason of their attendance upon a regular day school of such district or districts or while being transported by the district or districts to and from school or other place of instruction, or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places.

No pupil shall be compelled to accept such service without their consent, or if a minor without the consent of their parent or legal guardian. The cost of the insurance or membership may be paid, from the funds of the district or districts, or by the insured pupil, their parent or legal guardian. Such insurance may be purchased from, or such membership may be taken in, only such companies or corporations as are authorized to do business in California. If you would like to purchase student accident insurance, please pick up an application from your school.

Interdistrict Transfers - BP 5117, EC 48980(h)

The Superintendent/designee shall be responsible for establishing agreements with other school districts to provide for interdistrict transfers of students. Because of limited space within District schools and limited resources, the Board of Trustees discourages transfers into the district and will consider approving such transfers only on a case-by-case basis through an interdistrict attendance agreement.

Medication Required During School Hours and School Functions EC 49423 and 49423.6, BP 5141.21

- Before the school may assist a pupil, who is required to take, during the regular school day, prescribed medication, the school must receive a signed release from the parents/legal guardians and a written statement from the attending physician that gives specific directions for the administration of the medication to be given at school. The written statement shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.
- With written authorization from the student's health care provider and the written approval of the student's parent or legal guardian, **a student may carry a prescribed medication and self-administer said medication**. Controlled substances may not be carried. To carry or store medication on campus, the **Authorization for Medication Form** must be submitted/renewed at the start of each school year and whenever the prescription or prescribing health care provider changes. **All Health Forms are available at all school sites as well as on-line at www.fuhdsd.org/parents/health-forms**

Medication must be brought to school in the original pharmacy container labeled with the student's name, medication, dosage and directions, expiration date and doctor's name and phone number. EC 49423

If you have any questions about the health forms you may contact **your child's school health clerk**.

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

All FUHSD's health forms need to be updated every school year.

- Asthma, Diabetes, Seizure, Severe Allergy, and Medical Management Plans: Every School Year or when the treatment plan changes, whichever is sooner.
- Concussion Form: At the Modification Expiration Date (specified by the doctor) or the student's next re-evaluation date, whichever comes first. (Subject to nursing review and doctor's reevaluation/clearance)
- Recommendation for Physical Activity Form (PE Form): At the Modification Expiration Date (specified by the doctor), student's next re-evaluation date, or every semester, whichever comes first. (Subject to nursing review and doctor's reevaluation/clearance)
- Medication: Every school year and when changes are made in medication plan or prescribing health care provider.

These forms are available at all school sites as well as on-line at [Health Information & Forms](#)

Minimum and Pupil-free Staff Development Days – EC 48980

Parents and legal guardians of all pupils are to be informed of the schedule of minimum days and pupil-free staff development days. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school will notify parents and legal guardians of affected pupils as early as possible, but not later than one month prior to the scheduled day.

Mental Health Services

FUHSD is committed to both excellence and equity. Maintaining our excellence requires that we commit to ensuring high levels of learning for all students: learning that is not limited to the knowledge and skills measured on state and national assessments. We work hard to support today's students to be the thinkers, leaders and productive citizens of tomorrow, and this includes supporting student's mental health and social and emotional wellbeing. FUHSD provides many of these supports through staff that includes guidance counselors, school psychologists, student advocates (licensed marriage and family therapists) and administrators. We also know that student social and emotional health cannot be addressed by schools alone. Thus, we provide students and their families with services and access to community programs that will optimize the health, wellness and safety of our students for them to be successful in the years to come. We encourage you to take advantage of these resources for ensuring the health and wellbeing of your student(s) and family: <https://www.fuhd.org/students/mental-health-resources>

Nondiscrimination in District Programs and Activities – BP 0410

The Board of Trustees is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on race, color, religion, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, reproductive health decision making, physical or mental disability, sex, sexual orientation, gender, gender identity or gender expression, veteran or military status, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one of more of these actual or perceived characteristics. The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities.

The District requires that school personnel take immediate steps to intervene when it is safe to do so and when they witness an act of discrimination, harassment, intimidation or bullying.

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated and

resolved in accordance with the procedures specified in AR Board Policy 1312.3 - Uniform Complaint Procedures.

Any person with a disability or who is unable to prepare a written complaint can receive assistance from the site administrator/designee or the Superintendent at (408) 522-2201.

Notice of Alternative Schools – EC 58501, 48980(g)

California state law authorizes all school districts to provide for alternative schools. Education Code 58500 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 their desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in their own time to follow their own interests. These interests may be conceived by them totally and independently or may result in whole or in part from a presentation by their teachers of choices of learning projects.
- (d) Maximize the opportunity for teachers, parents/legal guardians, 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/legal guardians 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/legal guardian, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

Pesticide Products – EC 17612

In support of the Healthy Schools Act (AB 2260), the Fremont Union High School District will implement policies and procedures to control structural and landscape pests/weeds and minimize exposure of pesticides/herbicides to students and staff.

To obtain information on all pesticide products and expected use at FUHSD facilities during the year, please contact Roger Silveira, Director of Facilities & Bond at (408) 522-2256. The notice will identify the active ingredient(s) in each pesticide product and an internet address on pesticide use and reduction.

Physical Examination – EC 49451, BP 5141.3

A parent or legal guardian having control or charge of any child enrolled in the public schools may file annually with the principal of the school in which he is enrolled a statement in writing, signed by the parent or legal guardian, stating that he will not consent to a physical examination of their child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

Pregnant and Parenting Students – BP 5146

Expectant and parenting students retain the right to participate in any comprehensive school or educational alternative programs. School placement and instructional strategies for participating students shall be based on the needs and learning styles of individual students. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the individual student.

- FUHSD shall apply no rule concerning a pupil's actual or potential parental, family, or marital status that treats pupils differently on the basis of sex. (EC Section 221.51(a); 5 CCR Section 4950; 34 CFR Section 106.40(a))
- FUHSD shall not exclude or deny any pupil from any educational program or activity solely on the basis of the pupil's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom. (EC Section 221.51(b); 5 CCR Section 4950(a); 34 CFR Section 106.40(b)(1)).

- Pregnant or parenting pupils shall not be excluded from participation in their regular school programs and shall not be required to participate in pregnant-pupil programs or alternative educational programs. (EC Section 221.51(d); 5 CCR Section 4950(c); 34 CFR Section 106.40(b)(1)).
- Pregnant or parenting pupils who voluntarily participate in alternative programs shall be given educational programs, activities, and courses equal to the regular program. (EC Section 221.51(d); 5 CCR Section 4950(c); 34 CFR Section 106.40(b)(3)).
- FUHSD treats pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability. (EC Section 221.51(e); 5 CCR Section 4950(d); 34 CFR Section 106.40(b)(4)).
- FUHSD shall not make pre-admission inquiry as to the marital status of an applicant for admission, including whether such applicant is “Miss” or “Mrs.” An LEA may make pre-admission inquiry as to the sex of an applicant for admission, but only if such inquiry is made equally of such applicants of both sexes and if the results of such inquiry are not used in connection with discrimination prohibited by Title IX. (34 CFR Section 106.21(c)(4))
- FUHSD shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. A school shall be required to provide the reasonable accommodations specified only if there is at least one lactating pupil on the school campus.
 - a. Reasonable accommodations under this section include, but are not limited to, all of the following:
 - i. Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child.
 - ii. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
 - iii. Access to a power source for a breast pump or any other equipment used to express breast milk.
 - iv. Access to a place to store expressed breast milk safely.
 - b. A lactating pupil shall be provided a reasonable amount of time to accommodate her need to express breast milk or breast-feed an infant child.
 - c. Only school sites with at least one lactating pupil shall provide the reasonable accommodations specified above. A school subject to this may use an existing facility to meet the requirements.
 - d. A pupil shall not incur an academic penalty as a result of her use, during the school day, of the reasonable accommodations specified in this section, and shall be provided the opportunity to make up any work missed due to such use.
(EC Sections 222(a) - (e))
- Pregnant and parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. The following accommodations as rights of pregnant and parenting pupils:
 - a. A pregnant or parenting pupil is entitled to eight weeks of parental leave, which the pupil may take before the birth of the pupil’s infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the pupil who gives or expects to give birth and the infant, and to allow the pregnant or parenting pupil to care for and bond with the infant. If the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, the person holding the right to make educational decisions for the pupil, notify the school of the pupil’s intent to exercise this right.
 - b. A pregnant or parenting pupil who does not wish to take all or part of the parental leave shall not be required to do so.
 - c. A pregnant or parenting pupil is entitled to receive more than eight weeks of parental leave, if deemed medically necessary by the pupil’s physician.
 - d. When a pupil takes parental leave, the supervisor of attendance shall ensure that absences from the pupil’s regular school program are excused until the pupil is able to return to the regular school program or an alternative education program.

- e. During parental leave taken, a local educational agency shall not require a pregnant or parenting pupil to complete academic work or other school requirements.
- f. A pregnant or parenting pupil may return to the school and the course of study in which he or she was enrolled before taking parental leave.
- g. Upon return to school after taking parental leave, a pregnant or parenting pupil is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.
- h. A pregnant or parenting pupil may remain enrolled for a fifth year of instruction in the school in which the pupil was previously enrolled when it is necessary in order for the pupil to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the pupil is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.
- i. A pupil who chooses not to return to the school in which he or she was enrolled before taking parental leave is entitled to alternative education options offered by the local educational agency.
- j. A pregnant or parenting pupil who participates in an alternative education program shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.
- k. A pupil shall not incur an academic penalty as a result of his or her use of the accommodations.
 - A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures. (EC Sections 46015(1) - (11))

Prohibition against Retaliation

Retaliation against a student, parent/legal guardian or other individual because they filed a complaint or assisted or participated in an unlawful discrimination proceeding, or who has otherwise acted to assert the rights of students to be free from unlawful discrimination is also prohibited. Any student or employee found to have retaliated against another in violation of this policy will be subject to discipline.

Students who knowingly file false discrimination complaints or give false statements in an investigation will be subject to consequences including discipline measures up to and including suspension and expulsion.

Pupil Records – EC 49076, EC 49063 and 49069, Title 34 Code of Federal Regulations 99.7, AR 5125

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm, electronic database, or other means, must be maintained on the history of a pupil's development and educational progress. FUHSD will protect the privacy of such records. Parents/legal guardians have the right to: 1) inspect and review the student's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access student records without parental consent as long as the official needs to review the records in order to fulfill their professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, FUHSD shall disclose educational records without parental consent. FUHSD may also release directory information as described above (see "Directory Information) section in this packet) to local education partners.

Parents' request to access their student's educational records must be submitted in a written form to the school principal and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of student records are available to parents for a fee of no more than 10 cents per page.

Any challenge to school records must be submitted in writing to the school principal. A parent challenging school records must show that the records are: 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. Parents 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 (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-8520.

Pupil Rights: Sex Segregated School Programs and Activities – EC 221.5

As defined in the California Sex Equity in Education Act, the school district shall conduct classes and activities without regard to the sex of the pupil. The school district will not prohibit a pupil from enrolling in any class or course on the basis of the sex of the pupil, nor will the school district require a pupil of one sex to enroll in any class or activity unless the same is required of a pupil of the opposite sex. Participation in a particular physical education activity or sport, if required of pupils of one sex, shall be available to pupils of each sex. A pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with their gender identity, irrespective of the gender listed on the pupil's records.

Rehabilitation Act of 1973, Section 504

This civil rights statute provides for the referral, evaluation, and reasonable accommodation of students who may have a physical or mental impairment that substantially limits a major life activity under Section 504. Rights pertinent to Section 504 are available from the local school or from the Special Services Dept. Please notify your student's school or the Coordinator of Special Services of any student who may need special help by calling:

Cathleen Rodriguez
Coordinator of Special Services
Fremont Union High School District
408-522-2285

Residency and Open Enrollment – EC 35160.5

To register a student, the parent/legal guardian must supply three types of current documentation, including, but not limited to:

- Valid photo ID
- Current valid vehicle registration, current year's W-2's, or current paycheck/paystub with name and full address of employer and employee appearing on paycheck/paystub or current Internet bill.
- Current property tax bill with parent's name and property address indicating homeowner's exemption OR rental/lease agreement with parent's name and address, as well as manager/owner's name and phone number
- Current Pacific Gas & Electric (PG&E) bill or other utility bill or online statement. If PG&E is included in the monthly rent, then the current Bank statement or Insurance bill are acceptable.

If at any time a student's residence is in question, the District will investigate. These investigations may include the use of home visits, interviews, and photography.

Fremont Union High School District has established rules and regulations regarding an open enrollment policy within the District for residents of the District. As required under this section, the policy includes the following elements:

- Parents and legal guardians of each school-age child who is a resident in the district may select the school the child shall attend, irrespective of the particular location of their residence within the district.
- A selection policy for any school that receives request for admission in excess of the capacity of the school that ensures selection of students to enroll in the school is made through a random, unbiased process that prohibits an evaluation of whether any student should be enrolled based on their academic or athletic performance. For the purposes of this subdivision, the school district Governing Board shall determine the capacity of the schools in its district.
- No student who currently resides in the attendance area of a school shall be displaced by students transferring from outside the attendance area.

The Board of Trustees determined that District schools do not have sufficient excess capacity to permit intra-district transfers through Open Enrollment for the 2024-25 school year.

Safe Storage of Firearms

The purpose of this message is to inform and to remind parents and legal guardians of students in the Fremont Union High School District of their responsibilities for keeping firearms out of the hands of children as required by California law. Guns are a leading cause of death of children in the US. In the last several years, there have been numerous news reports of

children across the nation bringing firearms to school. In many of these incidents, the child obtained the firearm(s) from their home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

It is a crime for a person to negligently store or leave a loaded firearm in a place where a child is likely to access it. To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.[\[1\]](#)
 - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.[\[2\]](#)
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.[\[3\]](#)
- Finally, a parent or legal guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.[\[4\]](#)

Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable. Thank you for your partnership in helping to keep our children and schools safe.

[1] See California Penal Code sections 25100 through 25125 and 25200 through 25220.

[2] See California Penal Code section 25100(c).

[3] See California Civil Code Section 29805.

[4] See California Civil Code Section 1714.3.

School Athletics: Concussions - EC 49475

Safety of athletes participating in our athletic programs is a top priority for all our schools. Research about the effects of concussions in sports has raised serious concerns about this type of injury in high school sports. A concussion is a kind of brain injury that is caused by a bump or hit to the head, or by a blow to another part of the body with a force that shakes the head. Concussions can occur in any sport and can appear differently in each person. Most concussions get better with rest and over 90% of athletes fully recover. However, all concussions should be considered serious. If not recognized and managed the right way, they may result in problems including brain damage and even death.

California state law AB25 (effective January 1, 2012) now Education Code EC49475, mandates that all school districts ensure that:

1. An athlete who is suspected of sustaining a concussion or head injury in an athletic activity shall be immediately removed from the athletic activity for the remainder of the day, and shall not be permitted to return to the athletic activity until they are evaluated by a licensed health care provider.
2. The athlete shall not be permitted to return to the athletic activity until they receive written clearance to return to the athletic activity from a licensed health care provider. If the licensed health care provider determines that the athlete sustained a concussion or a head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider.
3. On a yearly basis, a concussion and head injury information sheet shall be signed and returned by the athlete and the athlete's parent or legal guardian before the athlete initiates practice or competition.

- “Licensed health care provider” means a licensed health care provider who is trained in the management of concussions and is acting within the scope of their practice.
- This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course required pursuant to subdivision (d) of Section 51220.
- Every 2 years, all coaches are required to receive training about concussions (AB 1451), as well as certification in First Aid training, CPR, and AEDs.
- All athletes in all sports are assessed with a Computerized Neurocognitive Test prior to participation in sports to establish a baseline of their cognitive functions. In the event that an athlete sustains a concussion, this assessment information may be used by the athlete’s doctor to evaluate their return to work and play

School Safety Plan – EC 32280

Each Santa Clara County Office of Education school site has a School Safety Plan, which includes a comprehensive disaster preparedness plan. Copies are available to read at each school office.

Security/Surveillance Cameras

Notice regarding the use of camera surveillance on school property - For the safety of our students, staff and visitors, the School District employs camera surveillance equipment for security purposes at all school sites and the District Office. This equipment may or may not be monitored at any time. Surveillance cameras will generally be utilized only in public areas where there is no “reasonable expectation of privacy.” District surveillance cameras will not be installed in “private” areas such as restrooms, locker rooms, changing areas, private offices (unless consent by the office owner is given), or classrooms.

Sexual Harassment – EC 48980, BP/AR 5145.7

The Board of Trustees is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment. This policy is implemented to inform students, staff and parents/legal guardians about what sexual harassment is and the procedures which will be followed by FUHSD upon receipt of sexual harassment allegations.

The district strongly encourages students who feel they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district’s Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Formal complaints may be filed as follows:

Title IX Coordinator – COMPLAINTS AGAINST STUDENTS

Trudy Gross
 Associate Superintendent, Teaching and Learning
 589 W Fremont Ave.
 Sunnyvale, CA 94087
 Phone: (408) 522-2203
 Email: trudy_gross@fuhdsd.org

Title IX Coordinator - COMPLAINTS AGAINST EMPLOYEES

Paula Robinson
 Director of Human Resources
 589 W Fremont Ave.
 Sunnyvale, CA 94087
 Phone: (408) 522-2279
 Email: paula_robinson@fuhdsd.org

Sight and Hearing Screening – EC 49452 and 49455

The governing board of any school district shall, subject to Section 49451, provide for the testing of the sight and hearing of each pupil enrolled in the schools of the district. The test shall be adequate in nature and shall be given only by duly qualified supervisors of health employed by the district; or by certificated employees of the district or of the county superintendent of schools who possess the qualifications prescribed by the Commission for Teacher Preparation and Licensing; or by contract with an agency duly authorized to perform those services by the county superintendent of schools of the county in which the district is located, under guidelines established by the State Board of Education; or accredited schools or colleges of optometry, osteopathic medicine, or medicine.

Student Dress and Grooming – BP 5132

The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

The principal, staff and parents/legal guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

For campus-specific detailed dress code requirements, please refer to the student and parent handbooks that are distributed to all students at the start of each school year. Current versions will be available for review alongside this comprehensive safety plan in your school office.

Sunscreen and Sun-protective Clothing – EC 35183.5

Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including but not limited to hats. Pupils may use sunscreen during the school day without a physician's note or prescription.

Surveys – EC 51513

Anonymous, voluntary confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students. Parents/legal guardians will be notified of any test, questionnaire, or survey the school plans to administer, and will be given the opportunity to review the test, questionnaire, or survey. Parents/legal guardians may request that their student not participate in the test, questionnaire, or survey by submitting their request in writing to the school.

Tobacco-free Campus – Health and Safety Code Sections 104420 and 104495

In accordance with state and federal law, smoking is prohibited in all FUHSD facilities and vehicles.

All school districts and county offices of education that receive Tobacco Use Prevention (TUPE) funds are required to adopt and enforce a tobacco-free campus policy, to communicate this policy to school staff, parents/legal guardians, pupils and community, and to post signs stating "Tobacco Use Prohibited" at all entrances to the school.

Under Health and Safety Code Section 104495, smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of school grounds is prohibited, except on a public sidewalk located within 25 feet of the school site. The products prohibited include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products.

Tobacco -Free Schools – BP 3513.3

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901). Tobacco products include: (Business and Professions Code 22950.5; Education Code 48901):

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah
3. Any component, part, or accessory of a tobacco product, whether or not sold separately

Uniform Complaint Procedures

BP 1312. 1-4: The Fremont Union High School District (FUHSD) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation or bullying, and complaints alleging violation of state or federal laws governing educational programs and the charging of unlawful fees. The District shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by the Fremont Union High School District.

BP 1312.3: The District shall investigate complaints alleging failure to comply with laws and/or allegations of unlawful discrimination includes, but is not limited to, discriminatory harassment, intimidation, or bullying based on the person’s actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on their association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

BP 5145.7: The district designates Trudy Gross and Paula Robinson as the responsible employees to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at as follows:

Title IX Coordinator (COMPLAINTS AGAINST STUDENTS)

Sexual Discrimination/Harassment

Trudy Gross
Associate Superintendent
Phone: (408) 522-2203
Email: trudy_gross@fuhisd.org

Title IX Coordinator (COMPLAINTS AGAINST STAFF)

Sexual Discrimination/Harassment

Paula Robinson
Director of Human Resources
Phone: (408) 522-2279
Email: paula_robinson@fuhisd.org

Any student who believes that they were subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to their teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the

report to the principal or the district's Title IX Coordinator identified in AR 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report their observation to the principal or a district Title IX Coordinator. The employee shall take these actions, whether or not the alleged victim files a complaint.

BP 1312.3: The District shall also investigate allegations that it has charged impermissible fees for participation in an educational activity. A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local Uniform Complaints Procedure. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee includes, but is not limited to, all of the following:

- A fee charged to a pupil as a condition for registering for school or classes or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

Complaints of noncompliance with laws relating to pupil fees are filed with a principal of a school. A complaint regarding pupil fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to pupil fees. Should the District find merit in a pupil fees complaint, the District will provide a remedy to all affected students, parents and legal guardians, and where applicable, all efforts will be made to compensate all involved in the payment of those fees. [Complaint Process and Public Input](#)

FREMONT UNION HIGH SCHOOL DISTRICT
UNIFORM COMPLAINT FORM

The Uniform Complaint Procedure (UCP) is used for complaints alleging non-compliance with state and federal laws and regulations governing discrimination and/or educational programs.

Last Name: _____ First Name: _____

Student Name (if applicable): _____ Student ID#: (if applicable): _____

Home Address: _____

Phone Number: _____ Email: _____

Person Making Complaint: Parent/Legal Guardian Student District Employee Other _____

Please describe the issue of your complaint:

Include as much detail as needed to thoroughly describe your complaint. Please include dates, locations, names of witnesses and any/all previous communication you have had about this issue. You may attach additional pages, if needed.

I certify that the above information is true and accurate to the best of my knowledge.

Signature: _____

Date: _____

Complaints may be filed with the District’s Compliance Officers/Coordinators as follows:

Uniform and Williams Complaints, Equity Officer

Paula Robinson
Assistant Superintendent
Phone: (408) 522-2205
Email: paula_robinson@fuhisd.org
589 W Fremont Ave, Sunnyvale, CA 94087

Title II & V Compliance Officer

School Facilities/Construction
Christine Mallery
Associate Superintendent/CBO
Business Services
Phone: (408) 522-2245
Email: christine_mallery@fuhisd.org
589 W Fremont Ave, Sunnyvale, CA 94087

Title IX Title IX Coordinator (COMPLAINTS AGAINST STAFF)

Sexual Discrimination/Harassment

Paula Robinson
Assistant Superintendent
Phone: (408) 522-2205
Email: paula_robinson@fuhisd.org
589 W Fremont Ave, Sunnyvale, CA 94087

Section 504 Compliance Officer/Coordinator

Students with Disabilities

Cathleen Rodriguez
Coordinator of Special Services
Phone: (408) 522-2285
Email: cathleen_rodriguez@fuhisd.org
589 W Fremont Ave, Sunnyvale, CA 94087

Title IX Title IX Coordinator (COMPLAINTS AGAINST STUDENTS)

Sexual Discrimination/Harassment

Trudy Gross
Associate Superintendent
Phone: (408) 522-2203
Email: trudy_gross@fuhisd.org
589 W Fremont Ave, Sunnyvale, CA 94087

Williams Complaint Policy and Procedure – EC 35186, AR/E 1312.4

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Course title/grade level and teacher name: _____

Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)
 - A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
 - A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
 - Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)
 - A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. (5 CCR 4600)
 - A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class.
 - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)
 - A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.
 - A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.
 - For a school serving any of grades 6-12, the school has not, at all times, stocked and made available and accessible free of cost, an adequate supply of menstrual products in every women’s and all-gender restroom, and in at least one men’s restroom.
 - The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

Please file this complaint at the following locations:

The Principal at your School Site

or

Paula Robinson

Assistant Superintendent

Phone: (408) 522-2205

589 W Fremont Ave

Sunnyvale, CA 94087

Email: paula_robinson@fuhdsd.org

Please be aware that you may file a complaint directly with the Superintendent of Public Instruction if you are alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency.

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature)

(Date)

For a comprehensive list of the FUHSD Board policies, please visit our website: www.fuhdsd.org/policies.

Yearbook and/or School Newspaper

If you do not wish to have your student's image published in the school yearbook and/or school newspaper, the District asks that you contact the yearbook/newspaper advisor at your school site **before September 1**.