September 3, 2014

TO: Santa Clara County Board of Education
FROM: Darcie Green, Chair, Policy Development Subcommittee
VIA: Jon R. Gundry, County Superintendent of Schools
SUBJECT: Second Reading of Revised Board Policies 0200, 5141.21, 5145.6, 6173.1

Associated Goals

GOAL 4: Improve organizational effectiveness and efficiency

Background

On July 16, 2014 the Policy Development Subcommittee met and approved the revision of the following Board Policies and recommend approval:

BP 0200 Goals for the SCCOE
Policy updated to delete sample goals and add concepts related to new law (AB 97, 2013) which requires districts to develop annual goals aligned with specified state priorities and any local priorities and to include those goals in the district's local control and accountability plan (LCAP). Policy also reflects new Title 5 regulation (Register 2014, No. 6) which provides a template to be used for LCAP development.

BP 5141.21 Administering Medication and Monitoring Health Conditions
Policy updated to reflect new court decision which held that state law permits trained, nonmedical school personnel to administer insulin to students in school in accordance with a written health care provider statement and parental consent. Policy also updated to reflect Title 5 regulations related to the administration of emergency antiseizure medication.

Exhibit 5145.6 Parental Notifications
Board Policy 5145.6 states that the County Superintendent of Schools shall provide parents/guardians all notifications required by law, including notifications about their legal rights, and any other notifications he/she believes will promote parental understanding and involvement. The exhibit for this policy lists all of these notifications and corresponding code and regulations for parent use.
BP 6173.1 Education for Foster Youth
Policy updated to reflect new law (AB 97 and SB 97) which provides grants within the LCFF based on the number and concentration of unduplicated counts of foster youth, English learners, and low-income students and requires the district's local control and accountability plan (LCAP) to include annual goals for all students and each "numerically significant" student subgroup including foster youth.

Fiscal Implications

The proposed revisions have no fiscal implications.

Requested Action

Second reading and adoption of revised Board Policies 0200, 5141.21, 5145.6, 6173.1
Santa Clara County Office of Education
Board Policy
Goals For The SCCOE

BP 0200
Philosophy, Goals, Objectives and Comprehensive Plans

As part of the Santa Clara County Board of Education (County Board) responsibility to set direction for the Santa Clara County Office of Education (SCCOE), the County Board shall adopt long-term goals focused on the achievement, continuous improvement and fulfilling the diverse roles the SCCOE serves. The County Board's goals shall be aligned with the SCCOE's vision, mission, philosophy, and priorities and shall be limited in number so as to be reasonably achievable within established timelines.

(cf. 0000 - Vision)
(cf. 0100 - Philosophy)
(cf. 9000 - Role of the Board)

In developing goals and identifying strategies to achieve those goals, the County Superintendent or Superintendent’s designee shall solicit input and review from key stakeholders. The County Superintendent or Superintendent’s designee shall also review and consider quantitative and/or qualitative data, including data disaggregated by student subgroup and school site, to ensure that SCCOE goals are aligned with student needs.

Goals shall be established for all students and each numerically significant subgroup as defined in Education Code 52052, which may include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth, and shall address each of the state priorities identified in Education Code 52060 and any additional local priorities established by the County Board. These goals shall be incorporated into the SCCOE's local control and accountability plan (LCAP). (Education Code 52060, 52062, 52063; 5 CCR 15497)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 6159 - Individualized Education Program)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Language Learners)

The LCAP shall include a clear description of each goal, one or more of the state or local priorities addressed by the goal, any student subgroup(s) or school site(s) to which the goal is applicable, and expected progress toward meeting the goal for the term of the LCAP and in each year. (5 CCR 15497)
Each year the SCCOE’s update to the LCAP shall review progress toward the goals and describe any changes to the goals. (Education Code 52060-52061)

(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

In addition to the goals identified in the LCAP, and consistent with those goals, the SCCOE and each school site may establish goals for inclusion in another SCCOE or school plan or for any other purpose. Such goals may address the improvement of governance, leadership, fiscal integrity, facilities, community involvement and collaboration, student wellness and other conditions of children, and/or any other areas of SCCOE operations. As appropriate, each goal shall include benchmarks or short-term objectives that can be used to determine progress toward meeting the goal.

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0440 - District Technology Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

Legal Reference:
EDUCATION CODE
17002 State School Building Lease-Purchase Law, including definition of good repair
42238.01-42238.07 Local control funding formula
44258.9 County superintendent review of teacher assignment
51002 Local development of programs based on stated philosophy and goals
51020 Definition of goal
51021 Definition of objective
51041 Evaluation of the educational program
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52050-52059 Public Schools Accountability Act
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
64000-64001 Consolidated application process
CODE OF REGULATIONS, TITLE 5
15497 Local control and accountability plan template
UNITED STATES CODE, TITLE 20
6311 Accountability, adequate yearly progress
6312 Local educational agency plan
Santa Clara County Office of Education
Board Policy
Goals For The SCCOE

BP 0200
Philosophy, Goals, Objectives and Comprehensive Plans

As part of the Santa Clara County Board of Education (County Board) responsibility to set
direction for the Santa Clara County Office of Education (SCCOE), the County Board shall adopt
long-term goals focused on the achievement, continuous improvement and fulfilling the diverse
roles the SCCOE serves. The County Board's goals shall be aligned with the SCCOE's vision,
misison, philosophy, and priorities and shall be limited in number so as to be reasonably
achievable within established timelines.

(cf. 0000 - Vision)
(cf. 0100 - Philosophy)
(cf. 9000 - Role of the Board)

When developing SCCOE's goals, the County Board shall consider the following areas:

1. Developing curriculum, assessments, and instructional materials that are aligned with the-
state's content standards, frameworks, and assessments

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

2. Maintaining safe and orderly campuses which promote learning

(cf. 0450 - Comprehensive Safety Plan)

3. Ensuring that all students achieve proficiency in essential areas of skill and knowledge and
attain the academic, career, and technical skills needed to succeed in a knowledge-and-
skills-based economy

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(cf. 6178 - Career Technical Education)

4. Providing for the specialized needs of identified groups of students, including providing-
necessary support and intervention programs and closing the gap between low-achieving and-
high-achieving students
5.—— Providing a system of shared accountability for student achievement with clear-performance standards and consequences

(ef. 0510—School Accountability Report Card)
(ef. 2140—Evaluation of the Superintendent)
(ef. 4115—Evaluation/Supervision)
(ef. 4215—Evaluation/Supervision)
(ef. 4315—Evaluation/Supervision)
(ef. 9400—Board Self-Evaluation)

6.—— Promoting student health, nutrition, and physical activity in order to enhance learning

(ef. 3550—Food Service/Child Nutrition Program)
(ef. 5030—Student Wellness)
(ef. 6142.7—Physical Education)
(ef. 6142.8—Comprehensive Health Education)

7.—— Developing each student's self-respect, respect for others, appreciation for diversity, and sense of personal responsibility

(ef. 5137—Positive School Climate)
(ef. 6141.6—Multicultural Education)
(ef. 6142.3—Civic Education)

8.—— Allocating time and resources for staff collaboration, planning, and professional development activities aligned with the SCCOE goals

(ef. 4131—Staff Development)
(ef. 4231—Staff Development)
(ef. 4331—Staff Development)

9.—— Maintaining fiscal integrity, aligning resources, and priorities

(ef. 3100—Budget)
(ef. 3460—Financial Reports and Accountability)

10.—— Improving the organization, management, and decision-making structure and capabilities of SCCOE to better support and serve all stakeholders
11. Employing technology in ways that enhance performance, learning, teaching, and noninstructional operations

(ef. 0440—District Technology Plan)
(ef. 4040—Employee Use of Technology)
(ef. 6163.4—Student Use of Technology)

12. Providing and maintaining facilities to meet the needs of present and future students

(ef. 7000—Concepts and Roles)
(ef. 7110—Facilities Master Plan)

13. Maintaining positive relations with parents/guardians and the community, emphasizing communication and inviting participation in the schools

(ef. 1100—Communication with the Public)
(ef. 1113—District and School Web Sites)
(ef. 1220—Citizen Advisory Committees)
(ef. 1240—Volunteer Assistance)
(ef. 1700—Relations Between Private Industry and the Schools)
(ef. 6020—Parent Involvement)

14. Collaborating with other public agencies and private organizations to ensure that children’s physical, social, and emotional needs are met

(ef. 1020—Youth Services)
(ef. 1400—Relations between Other Governmental Agencies and the Schools)

Objectives based on the goals shall include measurable standards, performance indicators, and benchmarks that can be used to determine the SCCOE progress toward meeting that goal.

The Santa Clara County Superintendent of Schools or designee shall, with the involvement of SCCOE staff, develop a strategic plan containing short-term objectives, actions, and timelines designed to enable the district to achieve its long-term goals. The County Superintendent or designee shall also ensure that SCCOE improvement plans and reform efforts are aligned with the SCCOE goals.

(ef. 0400—Comprehensive Plans)
(ef. 0420—School Plans/Site Councils)
(ef. 0520.1—High Priority Schools Grant Program)
(ef. 0520.2—Title I Program Improvement Schools)
(ef. 0520.3—Title I Program Improvement Districts)
(ef. 0520.4—Quality Education Investment Schools)
(cf. 6171—Title I Programs)

The County Superintendent or designee shall ensure that these goals are communicated to staff, parents/guardians, students, and the community and that those groups are given an opportunity to provide feedback about the goals.

Monitoring and Evaluation

The County Board shall regularly monitor the progress of efforts in achieving the goals. To that end, the County Superintendent or designee shall provide the County Board with the necessary data and analysis to help the County Board evaluate the effectiveness of these efforts. This data shall include an analysis of the progress based on the performance indicators and benchmarks for each objective, as well as other measures of achievement.

(cf. 0500—Accountability)
(cf. 6190—Evaluation of the Instructional Program)
(cf. 9322—Agenda/Meeting Materials)

If the County Board determines that sufficient progress is not being made toward a particular goal, the County Board and County Superintendent shall determine what types of additional resources and support should be provided so that progress can be made. SCCOE goals shall be revised as necessary.

In developing goals and identifying strategies to achieve those goals, the County Superintendent or Superintendent’s designee shall solicit input and review from key stakeholders. The County Superintendent or Superintendent’s designee shall also review and consider quantitative and/or qualitative data, including data disaggregated by student subgroup and school site, to ensure that SCCOE goals are aligned with student needs.

Goals shall be established for all students and each numerically significant subgroup as defined in Education Code 52052, which may include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth, and shall address each of the state priorities identified in Education Code 52060 and any additional local priorities established by the County Board. These goals shall be incorporated into the SCCOE’s local control and accountability plan (LCAP). (Education Code 52060, 52062, 52063; 5 CCR 15497)

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 6159 - Individualized Education Program)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Language Learners)

The LCAP shall include a clear description of each goal, one or more of the state or local priorities addressed by the goal, any student subgroup(s) or school site(s) to which the goal is applicable, and expected progress toward meeting the goal for the term of the LCAP and in each year. (5 CCR 15497)
Each year the SCCOE's update to the LCAP shall review progress toward the goals and describe any changes to the goals. (Education Code 52060-52061)

(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

In addition to the goals identified in the LCAP, and consistent with those goals, the SCCOE and each school site may establish goals for inclusion in another SCCOE or school plan or for any other purpose. Such goals may address the improvement of governance, leadership, fiscal integrity, facilities, community involvement and collaboration, student wellness and other conditions of children, and/or any other areas of SCCOE operations. As appropriate, each goal shall include benchmarks or short-term objectives that can be used to determine progress toward meeting the goal.

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0440 - District Technology Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

Legal Reference:
EDUCATION CODE
17002 State School Building Lease-Purchase Law, including definition of good repair
33127-33129 Standards and criteria for fiscal accountability
33400-33407 CDE evaluation of district programs
42238.01-42238.07 Local control funding formula
44258.9 County superintendent review of teacher assignment
44660-44665 Evaluation of certificated employees
51002 Local development of programs based on stated philosophy and goals
51020 Definition of goal
51021 Definition of objective
51041 Evaluation of the educational program
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52050-52059 Public Schools Accountability Act
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
64000-64001 Consolidated application process
CODE OF REGULATIONS, TITLE 5
15497 Local control and accountability plan template
15440-15463 Standards and criteria for fiscal accountability
UNITED STATES CODE, TITLE 20
6311 Accountability, adequate yearly progress
6312 Local educational agency plan

Management Resources:
CSBA PUBLICATIONS
Maximizing School Board Governance: Vision, 1996
State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013
WEB SITES
CSBA: http://www.csba.org
CSBA, Agenda Online:
http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx
California Department of Education: http://www.cde.ca.gov

Policy adopted: October 20, 2010

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California
Santa Clara County Office of Education
Board Policy
Administering Medication And Monitoring Health Conditions

BP 5141.21
Students

The Santa Clara County Board of Education (County Board) recognizes that during the school day, some students may need to take medication prescribed or ordered by an authorized health care provider to be able to fully participate in the educational program. The (County) Superintendent or Superintendent’s designee shall develop processes for the administration of medication to these students. For any student with a disability, as defined under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, necessary medication shall be administered in accordance with the student's individualized education program or Section 504 services plan.

(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

For the administration of medication to other students during school or school-related activities, the County Superintendent or Superintendent’s designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the Santa Clara County Office of Education’s (SCCOE) permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 6116 - Classroom Interruptions)

In addition, the County Superintendent or Superintendent’s designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
Administration of Medication by School Personnel

Any medication prescribed by an authorized health care provider, including, but not limited to, an emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when the County Superintendent or Superintendent’s designee has received written statements from both the student’s parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)

When unlicensed personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, epinephrine auto-injector, insulin, or glucagon, the County Superintendent or Superintendent’s designee shall ensure that school personnel designated to administer it to students receive appropriate training or retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by and provided with emergency communication access to a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1)

The County Superintendent or Superintendent’s designee shall maintain documentation of the training, ongoing supervision, as well as annual written verification of competency of such other designated school personnel.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

School nurses and other designated school personnel shall administer medications in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

Legal Reference:
EDUCATION CODE
48980 Notification at beginning of term
49407 Liability for treatment
49408 Emergency information
49414 Emergency epinephrine auto-injectors
49414.5 Providing school personnel with voluntary emergency training
49414.7 Emergency medical assistance: administration of epilepsy medication
49422-49427 Employment of medical personnel, especially:
49423  Administration of prescribed medication for student
49423.1 Inhaled asthma medication 49480  Continuing medication regimen; notice
BUSINESS AND PROFESSIONS CODE
2700-2837  Nursing, especially:
2726  Authority not conferred
2727  Exceptions in general
3501  Definitions
CODE OF REGULATIONS, TITLE 5
600-611 Administering medication to students
620-627  Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel
UNITED STATES CODE, TITLE 20
1232g  Family Educational Rights and Privacy Act of 1974
1400-1482  Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794  Rehabilitation Act of 1973, Section 504
COURT DECISIONS

Management Resources:
CSBA PUBLICATIONS
Pandemic Influenza, Fact Sheet, September 2007
AMERICAN DIABETES ASSOCIATION PUBLICATIONS
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007
Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004
NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS
WEB SITES
CSBA:  http://www.csba.org
American Diabetes Association:  http://www.diabetes.org
California Department of Education, Health Services and School Nursing:
http://www.cde.ca.gov/ls/he/hn
U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information:  http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma

Policy
adopted:  October 20, 2010
revised:  May 16, 2012, September 3, 2014
Santa Clara County Office of Education
Board Policy
Administering Medication And Monitoring Health Conditions

BP 5141.21
Students

The Santa Clara County Board of Education (County Board) recognizes that during the school day, some students may need to take medication prescribed or ordered by an authorized health care provider to be able to fully participate in the educational program. The (County) Superintendent or Superintendent’s designee shall develop processes for the administration of medication to these students. For any student with a disability, as defined under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, necessary medication shall be administered in accordance with the student's individualized education program or Section 504 services plan.

(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

If the parent/guardian so chooses, he/she may administer the medication to his/her child. In addition, the parent/guardian may designate another individual who is not a school employee to administer the medication to the student.

For the administration of medication to other students during school or school-related activities, the County Superintendent or Superintendent’s designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the Santa Clara County Office of Education’s (SCCOE) permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 6116 - Classroom Interruptions)

In addition, upon written request by the parent/guardian and with the approval of the student's physician, a student with a medical condition that requires frequent treatment, monitoring, or testing may be allowed to self-administer, self-monitor, and/or self-test. The student shall observe universal precautions in the handling of blood and other bodily fluids.

(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
In addition, the County Superintendent or Superintendent’s designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

Administration of Medication by School Personnel

Any medication prescribed by an authorized health care provider, including, but not limited to, an emergency antiseizure medication for a student with epilepsy who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when the County Superintendent or Superintendent’s designee has received written statements from both the student’s parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)

School nurses and other designated school personnel shall administer medications in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.

Only a school nurse or other school employee with an appropriate medical license may administer an insulin injection to a student. In the event that no such licensed school personnel is available, the Santa Clara County Office of Education may contract with a licensed nurse from a public or private agency to administer insulin to the student.

When unlicensed personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, epinephrine auto-injector, insulin, or glucagon, the County Superintendent or Superintendent’s designee shall ensure that school personnel designated to administer it to students receive appropriate training or retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by and provided with emergency communication access to a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1)

The County Superintendent or Superintendent’s designee shall maintain documentation of the training, ongoing supervision, as well as annual written verification of competency of such other designated school personnel.
School nurses and other designated school personnel shall administer medications in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.

In an emergency situation such as a public disaster or epidemic, a trained, unlicensed SCOE employee may administer medication to a student.

Legal Reference:
EDUCATION CODE
48980 Notification at beginning of term
49407 Liability for treatment
49408 Emergency information
49414 Emergency epinephrine auto-injectors
49414.5 Providing school personnel with voluntary emergency training
49414.7 Emergency medical assistance: administration of epilepsy medication
49422-49427 Employment of medical personnel, especially:
49423 Administration of prescribed medication for student
49423.1 Inhaled asthma medication, conditions upon which pupil may carry and self-administer medication
49423.5 Specialized health care services
49426 School nurses
49480 Continuing medication regimen; notice
BUSINESS AND PROFESSIONS CODE
2700-2837 Nursing, especially:
2726 Authority not conferred
2727 Exceptions in general
3501 Definitions
CODE OF REGULATIONS, TITLE 5
600-611 Administering medication to students
620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act of 1974
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
COURT DECISIONS

MANAGEMENT RESOURCES:
CSBA PUBLICATIONS
Pandemic Influenza, Fact Sheet, September 2007
AMERICAN DIABETES ASSOCIATION PUBLICATIONS
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007
Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004
NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS
WEB SITES
CSBA: http://www.csba.org
American Diabetes Association: http://www.diabetes.org
California Department of Education, Health Services and School Nursing:
http://www.cde.ca.gov/ls/he/hn
U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute,
asthma information: http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma

Policy adopted: October 20, 2010
Policy revised: May 16, 2012

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California
Cautionary Notice 2013-14: AB 110 (Ch. 20, Statutes of 2013) amended Government Code 17581.5 to relieve districts from the obligation, until July 1, 2014, to perform any activities that are deemed to be reimbursable state mandates under that section. As a result, certain provisions of the following Exhibit that reflect those requirements may be suspended.

Note: The following exhibit lists those notices which the law requires be provided to parents/guardians. Unless otherwise indicated, code numbers below refer to Education Code sections.

I. Annually

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 231.5, 48980; 5 CCR 4917
Board Policy/Administrative Regulation #: See AR 5145.7
Subject: Sexual harassment policy as related to students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 17612, 48980.3
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Use of pesticide product, active ingredients, Internet address to access information

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 32255-32255.6, 48980
Board Policy/Administrative Regulation #: See AR 5145.8
Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 35160.5, 48204, 46600-46611, 48980
Board Policy/Administrative Regulation #: See AR 5111.1, See AR 5116.1, See AR 5117
Subject: All statutory attendance options, available local attendance options, options for meeting residency

When to Notify: Annually by February 1
Education or Other Legal Code: Education Code 35256
Board Policy/Administrative Regulation #: See BP 0510
Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 35291, 48980
Board Policy/Administrative Regulation #: See BP 5144, See AR 5144.1
Subject: District and site discipline rules

When to Notify: Beginning of each school year if Board has adopted resolution allowing such absence
Education or Other Legal Code: Education Code 46014, 48980
Board Policy/Administrative Regulation #: See BP 5113, See AR 5113
Subject: Absence for religious exercise or purposes

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48205, 48980
Board Policy/Administrative Regulation #: See BP 5113, See AR 5113, See AR 6154
Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48206.3, 48207, 48208, 48980
Board Policy/Administrative Regulation #: See AR 6183
Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: Schedule of minimum days

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49069, 20 USC 1232g, 34 CFR 99.7
Board Policy/Administrative Regulation #: See AR 5125
Subject: Student records: Inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine school official legitimate educational interest, course prospectus availability

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Challenge, review and expunging of records

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Release of directory information
When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49403, 48980
Board Policy/Administrative Regulation #: See BP 5141.31
Subject: Consent to school immunization program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49423, 49480, 48980
Board Policy/Administrative Regulation #: See AR 5141.21
Subject: Administration of prescribed medication

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49451, 48980; 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Right to refuse consent to physical examination

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49472, 48980
Board Policy/Administrative Regulation #: See BP 5143
Subject: Availability of insurance

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5
Board Policy/Administrative Regulation #: See AR 3553
Subject: Free and reduced price meals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 56301
Board Policy/Administrative Regulation #: See BP 6164.4
Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 58501, 48980
Board Policy/Administrative Regulation #: See AR 6181
Subject: Alternative schools

When to Notify: Beginning of each school year
Education or Other Legal Code: 34 CFR 104.8, 106.9
Board Policy/Administrative Regulation #: See BP 0410, See BP 6178
Subject: Nondiscrimination

When to Notify: Beginning of each school year
Education or Other Legal Code: 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Uniform complaint procedures, available appeals, civil law remedies
When to Notify: Beginning of each school year
Education or Other Legal Code: 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8
Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities

When to Notify: Beginning of each school year for districts receiving Title I funds,
Education or Other Legal Code: 20 USC 6311; 34 CFR 200.61
Board Policy/Administrative Regulation #: See AR 4112.24, See AR 4222
Subject: Right to request information re: professional qualifications of their child's teacher and paraprofessional

When to Notify: Beginning of school year to parent, teacher and employee organizations or, in their absence, individuals
Education or Other Legal Code: 40 CFR 763.84, 40 CFR 763.93
Board Policy/Administrative Regulation #: See AR 3514
Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 46010.1
Board Policy/Administrative Regulation #: See BP 5113
Subject: Absence for confidential medical services

When to Notify: Beginning of each school year
Education or Other Legal Code: Health and Safety Code 104855
Board Policy/Administrative Regulation #: See AR 5141.6
Subject: Availability of dental fluoride treatment; opportunity to accept or deny treatment

When to Notify: Annually
Education or Other Legal Code: 5 CCR 852
Board Policy/Administrative Regulation #: AR 6162.51
Subject: Student’s participation in state assessments; option to request exemption from testing

When to Notify: Beginning of each school year, if any SCCOE school has been identified for program improvement or corrective action
Education or Legal Code: 20 USC 6316
Board Policy/Administrative Regulation #: See AR 0520.2
Subject: Availability of supplemental educational services, identity of providers, description of services, qualifications, effectiveness of providers

II. At Specific Times During the Student's Academic Career

When to Notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement
Education or Other Legal Code: Education Code 48980, 51225.3
Board Policy/Administrative Regulation #: See AR 6146.1
Subject: How each high school graduation requirement does or does not satisfy college entrance a-g course criteria; list of districts CTE courses that satisfy a-g course criteria

When to Notify: To students in grades 11-12, early enough to enable registration for fall test
Education or Other Legal Code: 5 CCR 11523
Board Policy/Administrative Regulation #: See AR 6146.2
Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: To secondary students, if district receives Title I funds
Education or Other Legal Code: 20 USC 7908
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Notice that parents may request district to not release name, address, phone number of child to military recruiters without prior written consent

When to Notify: At least once before counseling in grades 7 through 12
Education or Other Legal Code: Education Code 221.5, 48980
Board Policy/Administrative Regulation #: See BP 6164.2
Subject: Course selection and career counseling

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program
Education or Other Legal Code: Education Code 32390, 48980
Board Policy/Administrative Regulation #: See AR 5142.1
Subject: Fingerprinting program

When to Notify: Upon registration, if K-6 students have not previously been transported
Education or Other Legal Code: Education Code 39831.5
Board Policy/Administrative Regulation #: See AR 3543
Subject: School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

When to Notify: Beginning each school year in grades 9-12 and when high school student transfers into the district
Education Code 48980, 60850
Board Policy/Administrative Regulation #: See AR 6162.52
Subject: Requirement to pass the high school exit exam including: date of exam, requirements for passing, consequences of not passing, and that passing is a condition of graduation

When to Notify: When students entering grade 7
Education or Other Legal Code: Education Code 49452.7
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Specified information on type 2 diabetes
When to Notify: When in kindergarten or 1st grade if not previously enrolled in public school
Education or Other Legal Code: Education Code 49452.8
Board Policy/Administrative Regulation #: See AR 5141.32
Subject: Requirement for oral health assessment, explanation of law, importance of teeth
health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 9-12
Education or Other Legal Code: Education Code 51229, 48980
Board Policy/Administrative Regulation #: See AR 6143
Subject: College admission requirements, UC and CSU web sites that list certified courses,
description of career technical education and CDE Internet address, how students may meet with
counselors

When to Notify: Beginning of each school year for students in grades 7-12
Education or Other Legal Code: Education Code 51938, 48980
Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Explanation of sex and HIV/AIDS instruction; right to view A/V materials, who’s
teaching, request specific Education Code sections, right to excuse

When to Notify: Within 20 working days of receiving results of standardized achievement tests
Education or Other Legal Code: Education Code 60641, 5 CCR 863
Board Policy/Administrative Regulation #: See AR 6162.51
Subject: Results of tests; test purpose, individual score and intended use

When to Notify: When child is enrolled in kindergarten
Education or Other Legal Code: Health and Safety Code 124100
Board Policy/Administrative Regulation #: See BP 5141.32
Subject: Health screening examination

III. When Special Circumstances Occur

When to Notify: Upon receipt of a complaint alleging discrimination
Education or Other Legal Code: Education Code 262.3
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Civil law remedies available to complaints

When to Notify: When student has been placed in structured English immersion program
Education or Other Legal Code: Education Code 310-311; 5 CCR 11309
Board Policy/Administrative Regulation #: See AR 6174
Subject: Student's placement in program, opportunity to apply for parental exception waiver,
other rights of student relative to such placements

When to Notify: When determining whether an English learner should be reclassified as fluent
English proficient
Education or Other Legal Code: Education Code 313; 5 CCR 11303
Board Policy/Administrative Regulation #: See AR 6174
Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Title III funds, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year
Education or Other Legal Code: Education Code 440; 20 USC 7012
Board Policy/Administrative Regulation #: See AR 6174
Subject: Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, exit requirements of program

When to Notify: Before high school student attends specialized secondary program on a university campus
Education or Other Legal Code: Education Code 17288
Board Policy/Administrative Regulation #: None
Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: At least 72 hours before use of pesticide product not included in annual list
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Intended use of pesticide product

When to Notify: If school has lost its WASC accreditation status
Education or Other Legal Code: Education Code 35178.4
Board Policy/Administrative Regulation #: See BP 6190
Subject: Loss of status, potential consequences

When to Notify: At least six months before implementing a schoolwide uniform policy
Education or Other Legal Code: Education Code 35183
Board Policy/Administrative Regulation #: See AR 5132
Subject: Dress code policy requiring schoolwide uniform

When to Notify: Before implementing a year-round schedule
Education or Other Legal Code: Education Code 37616
Board Policy/Administrative Regulation #: See BP 6117
Subject: Year-round schedule

When to Notify: When interdistrict transfer is requested and not approved or denied within 30 days
Education or Other Legal Code: Education Code 46601
Board Policy/Administrative Regulation #: See AR 5117
Subject: Appeal process

When to Notify: Before early entry to kindergarten, if offered
Education or Other Legal Code: Education Code 48000
Board Policy/Administrative Regulation #: See AR 5111
Subject: Effects, advantages and disadvantages of early entry

When to Notify: When student identified as being at risk of retention
Education or Other Legal Code: Education Code 48070.5
Board Policy/Administrative Regulation #: See AR 5123
Subject: Student at risk of retention

When to Notify: When student excluded due to quarantine, contagious or infectious disease, danger to safety or health
Education or Other Legal Code: Education Code 48213
Board Policy/Administrative Regulation #: See AR 5112.2, See BP 5141.33
Subject: Student has been excluded from school

When to Notify: Before already admitted student is excluded for lack of immunization
Education or Other Legal Code: Education Code 48216; 17 CCR 6040
Board Policy/Administrative Regulation #: See AR 5141.31
Subject: Need to submit evidence of immunization or exemption within 10 school days; referral to medical care

When to Notify: When a student is classified a truant
Education or Other Legal Code: Education Code 48260.5, 48262
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to Notify: When a truant is referred to a SARB or probation department
Education or Other Legal Code: Education Code 48263
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Name and address of SARB or probation department and reason for referral

When to Notify: When student requests to voluntarily transfer to continuation school
Education or Other Legal Code: 48432.3
Board Policy/Administrative Regulation #: See AR 6184
Subject: Copy of district policy and regulation on continuation education

When to Notify: Prior to involuntary transfer to continuation school
Education or Other Legal Code: Education Code 48432.5
Board Policy/Administrative Regulation #: See AR 6184
Subject: Right to require meeting prior to involuntary transfer to continuation school

When to Notify: When student is removed from class and teacher requires parental attendance at school
Education or Other Legal Code: Education Code 48900.1
Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1
Subject: Parental attendance required; timeline for attendance
When to Notify: Prior to withholding grades, diplomas, or transcripts
Education or Other Legal Code: Education Code 48904
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student
Education or Other Legal Code: Education Code 48904.3
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Next school will continue withholding grades, diplomas or transcripts

When to Notify: When student is released to peace officer
Education or Other Legal Code: Education Code 48906
Board Policy/Administrative Regulation #: See BP 5145.11
Subject: Release of student to peace officer

When to Notify: At time of suspension
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1
Subject: Notice of suspension

When to Notify: When original period of suspension is extended
Education or Other Legal Code: Education Code 48911
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Extension of suspension

When to Notify: At the time a student is assigned to a supervised suspension classroom
Education or Other Legal Code: Education Code 48911.1
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: The student's assignment to a supervised suspension classroom

When to Notify: Before holding a closes session re: suspension
Education or Other Legal Code: Education Code 48912
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Intent to hold a closed session re: suspension

When to Notify: When student expelled from another district for certain acts seeks admission
Education or Other Legal Code: Education Code 48915.1, 48918
Board Policy/Administrative Regulation #: See AR 5119
Subject: Hearing re: possible danger presented by expelled student

When to Notify: When readmission is denied
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Reasons for denial; determination of assigned program

When to Notify: When expulsion occurs
Education or Other Legal Code: Education Code 48916
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Description of readmission procedures

When to Notify: 10 calendar days before expulsion hearing
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Notice of expulsion hearing

When to Notify: When expulsion or suspension of expulsion occurs
Education or Other Legal Code: Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to Notify: One month before the scheduled minimum day
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See BP 6111
Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents request guidelines for filing complaint of child abuse at a school site
Education or Other Legal Code: Education Code 48987
Board Policy/Administrative Regulation #: See AR 5141.4
Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course
Education or Other Legal Code: Education Code 49067
Board Policy/Administrative Regulation #: See AR 5121
Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school
Education or Other Legal Code: Education Code 49068
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to receive copy of student's record and to challenge its content

When to Notify: Within 24 hours of release of information to a judge or probation officer
Education or Other Legal Code: Education Code 49076
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of student record information to a judge or probation officer for conducting a truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena
Education or Other Legal Code: Education Code 49077
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis
Education or Other Legal Code: Education Code 49452.5
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects
Education or Other Legal Code: Education Code 49456
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Vision or hearing test

When to Notify: Annually to parents/guardians of student athletes before their first practice or competition
Education or Other Legal Code: Education Code 49475
Board Policy/Administrative Regulation #: See AR 6145.2
Subject: Information on concussions and head injuries

When to Notify: Before any test questioning personal beliefs
Education or Other Legal Code: Education Code 51513
Board Policy/Administrative Regulation #: See AR 5022
Subject: Permission for test, survey questioning personal beliefs

When to Notify: Within 14 days of instruction if arrangement made for guest speaker after beginning of school year
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Instruction in HIV/AIDS or sexual health education by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice that the survey will be administered

When to Notify: Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency
Education or Other Legal Code: Education Code 52164.1, 52164.3; 5 CCR 11511.5
Board Policy/Administrative Regulation #: See AR 6174
Subject: Results of state test of English proficiency

When to Notify: When migrant education program is established
Education or Other Legal Code: Education Code 54444.2
Board Policy/Administrative Regulation #: See BP 6175, See AR 6175
Subject: Parent advisory council membership composition
When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: Health and Safety Code 1596.857
Board Policy/Administrative Regulation #: See AR 5148
Subject: Parent right to enter facility

When to Notify: When sharing student immunization information with an immunization system
Education or Other Legal Code: Health and Safety Code 120440
Board Policy/Administrative Regulation #: See AR 5125
Subject: Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share

When to Notify: When hearing is requested by person asked to leave school premises
Education or Other Legal Code: Penal Code 627.5
Board Policy/Administrative Regulation #: See AR 3515.2
Subject: Notice of hearing

When to Notify: When providing written decision in response to a complaint re: discrimination, special education, or noncompliance with laws regulating educational programs
Education or Other Legal Code: 5 CCR 4631
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Appeal rights and procedures

When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: 5 CCR 18066
Board Policy/Administrative Regulation #: See AR 5148
Subject: Policies re: unexcused absences

When to Notify: When district substantively changes policy on student privacy rights
Education or Other Legal Code: 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice of any substantive change in policy or regulation

When to Notify: For districts receiving Title I funds, when a child has been taught for four or more consecutive weeks by a teacher who is not "highly qualified"
Education or Other Legal Code: 20 USC 6311
Board Policy/Administrative Regulation #: See AR 4112.24
Subject: Timely notice to parent of child's assignment

When to Notify: When school identified for program improvement or corrective action, within 30 days of failure to make annual yearly progress
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 0520.2
Subject: Notice of failure to make adequate yearly progress
When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents of English learners
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 6174
Subject: Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program

When to Notify: When school identified for program improvement or corrective action
Education or Other Legal Code: 20 USC 6316
Board Policy/Administrative Regulation #: See AR 0520.2, See AR 5116.1
Subject: Explanation of identification, reasons, how problem will be addressed, how parents can become involved, transfer option, availability of supplemental services

When to Notify: When district identified for program improvement
Education or Other Legal Code: 20 USC 6316
Board Policy/Administrative Regulation #: See AR 0520.3
Subject: Explanation of status, reasons for identification, how parents can participate in upgrading district

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy
Education or Other Legal Code: 20 USC 6318
Board Policy/Administrative Regulation #: See AR 6020
Subject: Notice of policy

When to Notify: For districts receiving Tnt

When to Notify: Prior to conducting initial evaluation
Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329, 34 CFR 300.502
Board Policy/Administrative Regulation #: See AR 6164.4
Subject: Proposed evaluation plan, related parental rights, prior written notice

When to Notify: 24 hours before IEP when district intending to record
Education or Other Legal Code: Education Code 56341.1
Board Policy/Administrative Regulation #: See AR 6159
Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting
Education or Other Legal Code: Education Code 56341.5 34 CFR 300.322
Board Policy/Administrative Regulation #: See AR 6159
Subject: Time, purpose, location, who in attendance, participation of others with special knowledge, transition statements if appropriate
When to Notify: Suspension or change of placement for more than 10 days
Education or Other Legal Code: 20 USC 1415(k), 34 CFR 300.530
Board Policy/Administrative Regulation #: See AR 5144.2
Subject: Decision and procedural safeguards notice

When to Notify: Upon requesting a due process hearing
Education or Other Legal Code: 20 USC 1415(k), 34 CFR 300.508
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504
Education or Other Legal Code: 34 CFR 104.32, 104.36
Board Policy/Administrative Regulation #: See AR 6164.6
Subject: Procedural safeguards, SCCOE responsibilities

V. Classroom Notices

When to Notify: In each classroom in each school
Education or Other Legal Code: Education Code 35186
Board Policy/Administrative Regulation #: See AR 1312.4, See E 1312.4
Subject: Complaint rights re: sufficiency instructional materials, teacher vacancy and misassignment, maintenance of facilities.
Cautionary Notice 2013-14: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009). Education Code 42605 grants COEs flexibility in "Tier 3" categorical programs. The Santa Clara County Office of Education accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-2009 through 2012-2013 fiscal years. As a result, the COE may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

AB 110 (Ch. 20, Statutes of 2013) amended Government Code 17581.5 to relieve districts from the obligation, until July 1, 2014, to perform any activities that are deemed to be reimbursable state mandates under that section. As a result, certain provisions of the following Exhibit that reflect those requirements may be suspended.

*** Note: The following exhibit lists those notices which the law requires be provided to parents/guardians. Unless otherwise indicated, code numbers below refer to Education Code sections.***

I. Annually

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 231.5, 48980; 5 CCR 4917
Board Policy/Administrative Regulation #: See AR 5145.7
Subject: Sexual harassment policy as related to students

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 17612, 48980.3
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Use of pesticide product, active ingredients, Internet address to access information

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 32255-32255.6, 48980
Board Policy/Administrative Regulation #: See AR 5145.8
Subject: Right to refrain from harmful or destructive use of animals

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 35160, 52, 48204, 46600-46611, 48980
Board Policy/Administrative Regulation #: See AR 5111.1, See AR 5116.1, See AR 5117  
Subject: All statutory attendance options, available local attendance options, options for meeting residency

When to Notify: Annually by February 1  
Education or Other Legal Code: Education Code 35256  
Board Policy/Administrative Regulation #: See BP 0510  
Subject: School Accountability Report Card provided

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 35291, 48980  
Board Policy/Administrative Regulation #: See BP 5144, See AR 5144.1  
Subject: District and site discipline rules

<table>
<thead>
<tr>
<th>When to Notify:</th>
<th>Beginning of each school year if high school open campus</th>
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<tbody>
<tr>
<td>Education or Other Legal Code:</td>
<td>Education Code 44808.5, 48980</td>
</tr>
<tr>
<td>Board Policy/Administrative Regulation #:</td>
<td>See AR 5112.5</td>
</tr>
<tr>
<td>Subject:</td>
<td>Open campus</td>
</tr>
</tbody>
</table>

When to Notify: Beginning of each school year if Board has adopted resolution allowing such absence  
Education or Other Legal Code: Education Code 46014, 48980  
Board Policy/Administrative Regulation #: See BP 5113, See AR 5113  
Subject: Absence for religious exercise or purposes

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48205, 48980  
Board Policy/Administrative Regulation #: See BP 5113, See AR 5113  
Subject: Absence for justifiable personal reasons

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48205, 48980  
Board Policy/Administrative Regulation #: See BP 5113, See AR 5113, See AR 6154  
Subject: Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48206.3, 48207, 48208, 48980  
Board Policy/Administrative Regulation #: See AR 6183  
Subject: Availability of home/hospital instruction for students with temporary disabilities

When to Notify: Beginning of each school year  
Education or Other Legal Code: Education Code 48980, 52244  
Board Policy/Administrative Regulation #: See AR 6141.5  
Subject: Availability of state funds to cover costs of advanced placement exam fees
When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49068, 49069, 20 USC 1232g, 34 CFR 99.7
Board Policy/Administrative Regulation #: See AR 5125
Subject: Student records: Inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine school official legitimate educational interest, course prospectus availability

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49070
Board Policy/Administrative Regulation #: See AR 5125, See AR 5125.3
Subject: Challenge, review and expunging of records

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Release of directory information

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49063, 49091.14
Board Policy/Administrative Regulation #: See AR 5020, See AR 5125
Subject: Availability of course prospectus

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49403, 48980
Board Policy/Administrative Regulation #: See BP 5141.31
Subject: Consent to school immunization program

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49423, 49480, 48980
Board Policy/Administrative Regulation #: See AR 5141.21
Subject: Administration of prescribed medication

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49451, 48980; 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Right to refuse consent to physical examination

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49472, 48980
Board Policy/Administrative Regulation #: See BP 5143
Subject: Availability of insurance

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 49540, 49520, 48980; 42 USC 1758; 7 CFR 245.5
Board Policy/Administrative Regulation #: See AR 3553
Subject: Free and reduced price meals

When to Notify: Annually Beginning of each school year
Education or Other Legal Code: Education Code 56301
Board Policy/Administrative Regulation #: See BP 6164.4
Subject: Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment

When to Notify: Beginning of each school year
Education or Other Legal Code: Education Code 58501, 48980
Board Policy/Administrative Regulation #: See AR 6181
Subject: Alternative schools

When to Notify: Beginning of each school year
Education or Other Legal Code: 20 USC 1681-1688, 42 USC 2000d-2000d-7, 34 CFR 104.8, 106.9
Board Policy/Administrative Regulation #: See BP 0410, See BP 6178
Subject: Nondiscrimination on basis of sex, disability, ethnicity or lack of English skills

When to Notify: Annually Beginning of each school year
Education or Other Legal Code: 49013, 5 CCR 4622
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Uniform complaint procedures, available appeals, civil law remedies, and identity of coordinator

When to Notify: Beginning of each school year
Education or Other Legal Code: 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5022, See BP 6162.8
Subject: Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities

When to Notify: Beginning of each school year For For districts receiving Title I funds, beginning of each school year
Education or Other Legal Code: 20 USC 6311, 34 CFR 200.61
Board Policy/Administrative Regulation #: See AR 4112.24, See AR 4222
Subject: Right to request information re: professional qualifications of their child's teacher and paraprofessional

When to Notify: Annually Beginning of school year to parent, teacher and employee organizations or, in their absence, individuals
I. At Specific Times During the Student's Academic Career

When to Notify: Beginning of each school year for high school students, if high school is open-campus
Education or Other Legal Code: Education Code 44808.5, 48980
Board Policy/Administrative Regulation #: See AR 5112.5
Subject: Open-campus

When to Notify: Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement
Education or Other Legal Code: Education Code 48980, 51225.3
Board Policy/Administrative Regulation #: See AR 6146.1
Subject: How each high school graduation requirement does or does not satisfy college entrance a-g course criteria; list of districts CTE courses that satisfy a-g course criteria

When to Notify: To students in grades 11-12, early enough to enable registration for fall test
Education or Other Legal Code: 5 CCR 11523
Board Policy/Administrative Regulation #: See AR 6146.2
Subject: Notice of proficiency examination provided under Education Code 48412
When to Notify: To secondary students, if district receives Title I funds
Education or Other Legal Code: 20 USC 7908
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Notice that parents may request district to not release name, address, phone number of child to military recruiters without prior written consent

When to Notify: At least once before counseling in grades 7 through 12
Education or Other Legal Code: Education Code 221.5, 48980
Board Policy/Administrative Regulation #: See BP 6164.2
Subject: Course selection and career counseling

When to Notify: At beginning of each school year if student has been placed in structured English immersion program
Education or Other Legal Code: Education Code 310, 5 CCR 11309
Board Policy/Administrative Regulation #: See AR 6174
Subject: Placement of child in program and opportunity to apply for parental exception waiver

When to Notify: Before high school student attends specialized-secondary program on a university campus
Education or Other Legal Code: Education Code 17288
Board Policy/Administrative Regulation #: None
Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: To members of athletic teams
Education or Other Legal Code: Education Code 32221.5
Board Policy/Administrative Regulation #: See AR 5143
Subject: Offer of insurance, no-cost and low-cost program options

When to Notify: Before presenting a course using live or dead animals or animal parts
Education or Other Legal Code: Education Code 32255-32255.6
Board Policy/Administrative Regulation #: See AR 5145.8
Subject: Right to refrain from harmful or destructive use of animals

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program
Education or Other Legal Code: Education Code 32390, 48980
Board Policy/Administrative Regulation #: See AR 5142.1
Subject: Fingerprinting program

When to Notify: Beginning of each term for students who have not passed the exit exam by the end of grade 12
Education or Other Legal Code: Education Code 37254
Board Policy/Administrative Regulation #: See AR 6179
Subject: Availability of intensive instruction and services for two consecutive academic years.
and right to file complaint

When to Notify: Upon registration, if K-6 students have not previously been transported
Education or Other Legal Code: Education Code 39831.5
Board Policy/Administrative Regulation #: See AR 3543
Subject: School bus safety rules and information, list of stops, rules of conduct, red light
crossing instructions, bus danger zones, walking to and from stops

When to Notify: — Beginning of each school year in grades 7-12
Education or Other Legal Code: Education Code 46010.1
Board Policy/Administrative Regulation #: See BP 5113
Subject: — Absence for confidential medical services

When to Notify: — Before early entry to kindergarten, if offered
Education or Other Legal Code: Education Code 48000
Board Policy/Administrative Regulation #: See AR 5111
Subject: — Effects, advantages and disadvantages of early entry

When to Notify: Beginning each school year in grades 9-12 and when high school student
transfers into the district
Education Code 48980, 60850
Board Policy/Administrative Regulation #: See AR 6162.52
Subject: Requirement to pass the high school exit exam including: date of exam, requirements
for passing, consequences of not passing, and that passing is a condition of graduation

When to Notify: When students entering grade 7
Education or Other Legal Code: Education Code 49452.7
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Specified information on type 2 diabetes

When to Notify: When in kindergarten or 1st grade if not previously enrolled in public school
Education or Other Legal Code: Education Code 49452.8
Board Policy/Administrative Regulation #: See AR 5141.32
Subject: Requirement for oral health assessment, explanation of law, importance of teeth
health, agency contact, privacy rights

When to Notify: Beginning of each school year for students in grades 9-12
Education or Other Legal Code: Education Code 51229, 48980
Board Policy/Administrative Regulation #: See BP-AR 6143
Subject: College admission requirements, UC and CSU web sites that list certified courses,
description of career technical education and CDE Internet address, how students may meet with
counselors

When to Notify: Beginning of each school year for students in grades 7-12
Education or Other Legal Code: Education Code 51938, 48980
Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Explanation of sex and HIV/AIDS instruction; right to view A/V materials, who's teaching, request specific Education Code sections, right to excuse

When to Notify: Upon assessment and reassessment of English proficiency and enrollment in program of education for English language learners
Education or Other Legal Code: Education Code 52164.1, 52164.3, 52173, 5 CCR 11303
Board Policy/Administrative Regulation #: See AR 6174
Subject: Program of education for English language learners

When to Notify: Within 20 working days of receiving results of standardized achievement tests
Education or Other Legal Code: Education Code 60641, 5 CCR 863
Board Policy/Administrative Regulation #: See AR 6162.51
Subject: Results of tests; test purpose, individual score and intended use

When to Notify: Annually to each high school student
Education or Other Legal Code: Education Code 66204
Board Policy/Administrative Regulation #: See BP 6143
Subject: Copy of list of courses offered Student that are certified by UC as meeting admission criteria

When to Notify: When child is enrolled in kindergarten
Education or Other Legal Code: Health and Safety Code 124100
Board Policy/Administrative Regulation #: See BP 5141.32
Subject: Health screening examination

When to Notify: Prior student participation in gifted and talented program
Education or Other Legal Code: 5 CCR 3831
Board Policy/Administrative Regulation #: See AR 6172
Subject: Gifted and talented student program

When to Notify: Within 30 calendar days of receipt of CELDT results
Education or Other Legal Code: 5 CCR 11511.5
Board Policy/Administrative Regulation #: See AR 6174
Subject: CELDT test results

When to Notify: To students in grades 11 and 12, early enough to enable registration for current fall test
Education or Other Legal Code: 5 CCR 11523
Board Policy/Administrative Regulation #: See AR 6146.2
Subject: Notice of proficiency examination provided under Education Code 48412

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents of English learners
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 6174
Subject: Reasons for placement, level of proficiency, instructional methods, how program-
meets child’s strengths and teaches English, exit requirements, right to choose another program

III. When Special Circumstances Occur

When to Notify: Upon receipt of a complaint alleging discrimination
Education or Other Legal Code: Education Code 262.3
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Civil law remedies available to complaints

When to Notify: When student has been placed in structured English immersion program
Education or Other Legal Code: Education Code 310-311; 5 CCR 11309
Board Policy/Administrative Regulation #: See AR 6174
Subject: Student’s placement in program, opportunity to apply for parental exception waiver, other rights of student relative to such placements

When to Notify: When determining whether an English learner should be reclassified as fluent English proficient
Education or Other Legal Code: Education Code 313; 5 CCR 11303
Board Policy/Administrative Regulation #: See AR 6174
Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Title III funds, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year
Education or Other Legal Code: Education Code 440; 20 USC 7012
Board Policy/Administrative Regulation #: See AR 6174
Subject: Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, exit requirements of program

When to Notify: Before high school student attends specialized secondary program on a university campus
Education or Other Legal Code: Education Code 17288
Board Policy/Administrative Regulation #: None
Subject: University campus buildings may not meet Education Code requirements for structural safety

When to Notify: At least 72 hours before use of pesticide product not included in annual list
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Intended use of pesticide product

When to Notify: To members of athletic teams
Education or Other Legal Code: Education Code 22221.5
Board Policy/Administrative Regulation #: See AR 5143
Subject: Offer of insurance; no-cost and low-cost program options
When to Notify:  If school has lost its WASC accreditation status
Education or Other Legal Code:  Education Code 35178.4
Board Policy/Administrative Regulation #:  See BP 6190
Subject:  Loss of status, potential consequences

When to Notify:  At least six months before implementing a schoolwide uniform policy
Education or Other Legal Code:  Education Code 35183
Board Policy/Administrative Regulation #:  See AR 5132
Subject:  Dress code policy requiring schoolwide uniform

When to Notify:  Before implementing a year-round schedule
Education or Other Legal Code:  Education Code 37616
Board Policy/Administrative Regulation #:  See BP 6117
Subject:  Year-round schedule

When to Notify:  When interdistrict transfer is requested and not approved or denied within 30 days
Education or Other Legal Code:  Education Code 46601
Board Policy/Administrative Regulation #:  See AR 5117
Subject:  Appeal process

When to Notify:  Before early entry to kindergarten, if offered
Education or Other Legal Code:  Education Code 48000
Board Policy/Administrative Regulation #:  See AR 5111
Subject:  Effects, advantages and disadvantages of early entry

When to Notify:  When student identified as being at risk of retention
Education or Other Legal Code:  Education Code 48070.5
Board Policy/Administrative Regulation #:  See AR 5123
Subject:  Student at risk of retention

When to Notify:  When student excluded due to quarantine, contagious or infectious disease, danger to safety or health
Education or Other Legal Code:  Education Code 48213
Board Policy/Administrative Regulation #:  See AR 5112.2, See BP 5141.33
Subject:  Student has been excluded from school

When to Notify:  Before already admitted student is excluded for lack of immunization
Education or Other Legal Code:  Education Code 48216; 17 CCR 6040
Board Policy/Administrative Regulation #:  See AR 5141.31
Subject:  Two weeks need to submit evidence of immunization or exemption within 10 school days; referral to medical care

When to Notify:  When a student is classified a truant
Education or Other Legal Code:  Education Code 48260.5, 48262
Board Policy/Administrative Regulation #:  See AR 5113.1
Subject: Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

When to Notify: When a truant is referred to a SARB or probation department
Education or Other Legal Code: Education Code 48263
Board Policy/Administrative Regulation #: See AR 5113.1
Subject: Name and address of SARB or probation department and reason for referral

When to Notify: When a school is identified on the state's Open Enrollment Lost
Education or Other Legal Code: Education Code 48354; 5 CCR 4702
Board Policy/Administrative Regulation #: See AR 5118
Subject: Student's opinion to transfer to another school

When to Notify: Within 60 days of receiving application for transfer out of open enrollment school
Education or Other Legal Code: Education Code 48357; 5 CCR 4702
Board Policy/Administrative Regulation #: See AR 5118
Subject: Whether student's transfer application is accepted or rejected; reasons for rejection

When to Notify: When student requests to voluntarily transfer to continuation school
Education or Other Legal Code: 48432.3
Board Policy/Administrative Regulation #: See AR 6184
Subject: Copy of district policy and regulation on continuation education

When to Notify: Prior to involuntary transfer to continuation school
Education or Other Legal Code: Education Code 48432.5
Board Policy/Administrative Regulation #: See AR 6184
Subject: Right to require meeting prior to involuntary transfer to continuation school

When to Notify: When student is removed from class and teacher requires parental attendance at school
Education or Other Legal Code: Education Code 48900.1
Board Policy/Administrative Regulation #: See BP 5144.1, See AR 5144.1
Subject: Parental attendance required; timeline for attendance

When to Notify: Prior to withholding grades, diplomas, or transcripts
Education or Other Legal Code: Education Code 48904
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Damaged school property

When to Notify: When withholding grades, diplomas or transcripts from transferring student
Education or Other Legal Code: Education Code 48904.3
Board Policy/Administrative Regulation #: See AR 5125.2
Subject: Next school will continue withholding grades, diplomas or transcripts

When to Notify: When student is released to peace officer
Education or Other Legal Code:  Education Code 48906
Board Policy/Administrative Regulation #:  See BP 5145.11
Subject:  Release of student to peace officer

When to Notify:  At time of suspension
Education or Other Legal Code:  Education Code 48911
Board Policy/Administrative Regulation #:  See BP 5144.1, See AR 5144.1
Subject:  Notice of suspension

When to Notify:  When original period of suspension is extended
Education or Other Legal Code:  Education Code 48911
Board Policy/Administrative Regulation #:  See AR 5144.1
Subject:  Extension of suspension

When to Notify:  At the time a student is assigned to a supervised suspension classroom
Education or Other Legal Code:  Education Code 48911.1
Board Policy/Administrative Regulation #:  See AR 5144.1
Subject:  The student's assignment to a supervised suspension classroom

When to Notify:  Before holding a closed session re: suspension
Education or Other Legal Code:  Education Code 48912
Board Policy/Administrative Regulation #:  See AR 5144.1
Subject:  Intent to hold a closed session re: suspension

When to Notify:  When student expelled from another district for certain acts seeks admission
Education or Other Legal Code:  Education Code 48915.1, 48918
Board Policy/Administrative Regulation #:  See AR 5119
Subject:  Hearing re: possible danger presented by expelled student

When to Notify:  When readmission is denied
Education or Other Legal Code:  Education Code 48916
Board Policy/Administrative Regulation #:  See AR 5144.1
Subject:  Reasons for denial; determination of assigned program

When to Notify:  When expulsion occurs
Education or Other Legal Code:  Education Code 48916
Board Policy/Administrative Regulation #:  See AR 5144.1
Subject:  Description of readmission procedures

When to Notify:  10 calendar days before expulsion hearing
Education or Other Legal Code:  Education Code 48918
Board Policy/Administrative Regulation #:  See AR 5144.1
Subject:  Notice of expulsion hearing

When to Notify:  When expulsion or suspension of expulsion occurs
Education or Other Legal Code:  Education Code 48918
Board Policy/Administrative Regulation #: See AR 5144.1
Subject: Decision to expel; right to appeal to county board; obligation to inform new district of status

When to Notify: One month before the scheduled minimum day
Education or Other Legal Code: Education Code 48980
Board Policy/Administrative Regulation #: See AR 6111
Subject: When minimum days are scheduled after the beginning of the school year

When to Notify: When parents request guidelines for filing complaint of child abuse at a school site
Education or Other Legal Code: Education Code 48987
Board Policy/Administrative Regulation #: See AR 5141.4
Subject: Guidelines for filing complaint of child abuse at a school site with local child protective agencies

When to Notify: When student in danger of failing a course
Education or Other Legal Code: Education Code 49067
Board Policy/Administrative Regulation #: See AR 5121
Subject: Student in danger of failing a course

When to Notify: When student transfers from another district or private school
Education or Other Legal Code: Education Code 49068
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to receive copy of student's record and to challenge its content

When to Notify: Within 24 hours of release of information to a judge or probation officer
Education or Other Legal Code: Education Code 49076
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of student record information to a judge or probation officer for conducting a truancy mediation program or for presenting evidence at a truancy petition

When to Notify: Before release of information pursuant to court order or subpoena
Education or Other Legal Code: Education Code 49077
Board Policy/Administrative Regulation #: See AR 5125
Subject: Release of information pursuant to court order or subpoena

When to Notify: When screening results in suspicion that student has scoliosis
Education or Other Legal Code: Education Code 49452.5
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Scoliosis screening

When to Notify: When test results in discovery of visual or hearing defects
Education or Other Legal Code: Education Code 49456
Board Policy/Administrative Regulation #: See AR 5141.3
Subject: Vision or hearing test
When to Notify: Annually to parents/guardians of student athletes before their first practice or competition
Education or Other Legal Code: Education Code 49475
Board Policy/Administrative Regulation #: See AR 6145.2
Subject: Information on concussions and head injuries

When to Notify: Before any test questioning personal beliefs
Education or Other Legal Code: Education Code 51513
Board Policy/Administrative Regulation #: See AR 5022
Subject: Permission for test, survey questioning personal beliefs

When to Notify: Within 14 days of instruction if arrangement made for guest speaker after beginning of school year
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 6142.1
Subject: Instruction in HIV/AIDS or sexual health education by guest speaker or outside consultant

When to Notify: Prior to administering survey regarding health risks and behaviors to students in 7-12
Education or Other Legal Code: Education Code 51938
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice that the survey will be administered

When to Notify: Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency
Education or Other Legal Code: Education Code 52164.1, 52164.3; 5 CCR 11511.5
Board Policy/Administrative Regulation #: See AR 6174
Subject: Results of state test of English proficiency

When to Notify: When migrant education program is established
Education or Other Legal Code: Education Code 54444.2
Board Policy/Administrative Regulation #: See BP 6175, See AR 6175
Subject: Parent advisory council membership composition

When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: Health and Safety Code 1596.857
Board Policy/Administrative Regulation #: See AR 5148
Subject: Parent right to enter facility

When to Notify: When sharing student immunization information with an immunization system
Education or Other Legal Code: Health and Safety Code 120440
Board Policy/Administrative Regulation #: See AR 5125
Subject: Types of information to be shared, name and address of agency, acceptable use of the
information, right to examine, right to refuse to share

When to Notify: When hearing is requested by person asked to leave school premises
Education or Other Legal Code: Penal Code 627.5
Board Policy/Administrative Regulation #: See AR 3515.2
Subject: Notice of hearing

When to Notify: When providing written decision in response to a complaint re:
discrimination, special education, or noncompliance with laws regulating educational programs
Education or Other Legal Code: 5 CCR 4631
Board Policy/Administrative Regulation #: See AR 1312.3
Subject: Appeal rights and procedures

When to Notify: When child participates in licensed child care and development program
Education or Other Legal Code: 5 CCR 18066
Board Policy/Administrative Regulation #: See AR 5148
Subject: Policies re: unexcused absences

When to Notify: When district substantively changes policy on student privacy rights
Education or Other Legal Code: 20 USC 1232h
Board Policy/Administrative Regulation #: See AR 5022
Subject: Notice of any substantive change in policy or regulation

When to Notify: For districts receiving Title I funds, when a child has been taught for four or
more consecutive weeks by a teacher who is not "highly qualified"
Education or Other Legal Code: 20 USC 6311
Board Policy/Administrative Regulation #: See AR 4112.24
Subject: Timely notice to parent of child's assignment

When to Notify: When school identified for program improvement or corrective action, within
30 days of failure to make annual yearly progress
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 0520.2
Subject: Notice of failure to parents of English language learners make adequate yearly progress

When to Notify: For districts receiving Title I funds, not later than 30 days after beginning of
school year, to parents of English learners
Education or Other Legal Code: 20 USC 6312
Board Policy/Administrative Regulation #: See AR 6174
Subject: Reasons for placement, level of proficiency, instructional methods, how program
meets child's strengths and teaches English, exit requirements, right to choose other program

When to Notify: When school identified for program improvement or corrective action
Education or Other Legal Code: 20 USC 6316
Board Policy/Administrative Regulation #: See AR 0520.2, See AR 5116.1
Subject: Explanation of identification, reasons, how problem will be addressed, how parents can become involved, transfer option, availability of supplemental services

When to Notify: For districts with schools that have been identified for program improvement or corrective action, annually
Education or Other Legal Code: 20 USC 6316
Board Policy/Administrative Regulation #: See AR 0520.2
Subject: Availability of supplemental educational services, identity of providers, description of services, qualifications, effectiveness of providers

When to Notify: When district identified for program improvement
Education or Other Legal Code: 20 USC 6316
Board Policy/Administrative Regulation #: See AR 0520.3
Subject: Explanation of status, reasons for identification, how parents can participate in upgrading district

When to Notify: For schools receiving Title I funds, upon development of parent involvement policy
Education or Other Legal Code: 20 USC 6318
Board Policy/Administrative Regulation #: See AR 6020
Subject: Notice of policy

When to Notify: For districts with secondary students receiving Title I funds
Education or Other Legal Code: 20 USC 7908
Board Policy/Administrative Regulation #: See AR 5125.1
Subject: Notice that parents may request district to not release name, address, phone number of child to military recruiters without prior written consent

When to Notify: When household is selected for verification of eligibility for free or reduced-price meals
Education or Other Legal Code: 42 USC 1758; 7 CFR 246.6a
Board Policy/Administrative Regulation #: See AR 3553
Subject: Notice of need to submit verification information; any subsequent change in benefits; right to appeal

When to Notify: When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30
Education or Other Legal Code: 34 CFR 99.34
Board Policy/Administrative Regulation #: See AR 5125
Subject: Right to review records

IV. Special Education Notices
When to Notify: For districts receiving Tnt

When to Notify: Prior to conducting initial evaluation
Education or Other Legal Code: Education Code 56301, 56321, 56321.5, 56321.6, 56329, 34
CFR 300.502
Board Policy/Administrative Regulation #: See AR 6164.4
Subject: Proposed evaluation plan, related parental rights, prior written notice

When to Notify: 24 hours before IEP when district intending to record
Education or Other Legal Code: Education Code 56341.1
Board Policy/Administrative Regulation #: See AR 6159
Subject: Intention to audio-record IEP meeting

When to Notify: Early enough to ensure opportunity for parent to attend IEP meeting
Education or Other Legal Code: Education Code 56341.5 34 CFR 300.322
Board Policy/Administrative Regulation #: See AR 6159
Subject: Time, purpose, location, who in attendance, participation of others with special knowledge, trans initiate or change the identification, evaluation or placement, or FAPE, including when parent/guardian revokes consent for services
Education or Other Legal Code: 20 USC 1415(e), 34 CFR 300.300, 300.503
Board Policy/Administrative Regulation #: See AR 6159, See AR 6159.1
Subject: Prior written notice transition statements if appropriate

When to Notify: Initial referral for evaluation
Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.503
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Prior written notice and procedural safeguards notice

When to Notify: Registration of complaint
Education or Other Legal Code: 20 USC 1415(d), 34 CFR 300.504
Board Policy/Administrative Regulation #: See AR 6159.01
Subject: Procedural safeguards notice

When to Notify: Disciplinary action taken for dangerous behavior
Education or Other Legal Code: 20 USC 1415(k), 34 CFR 300.530
Board Policy/Administrative Regulation #: See AR 5144.2
Subject: Decision and procedural safeguards notice

When to Notify: Suspension or change of placement for more than 10 days
Education or Other Legal Code: 20 USC 1415(k), 34 CFR 300.530
Board Policy/Administrative Regulation #: See AR 5144.2
Subject: Decision and procedural safeguards notice

When to Notify: Upon requesting a due process hearing
Education or Other Legal Code: 20 USC 1415(k), 34 CFR 300.508
Board Policy/Administrative Regulation #: See AR 6159.1
Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504
Education or Other Legal Code: 34 CFR 104.32, 104.36
Board Policy/Administrative Regulation #: See AR 6164.6
Subject: Procedural safeguards, district SCCOE responsibilities

V. Classroom Notices

When to Notify: In each classroom in each school
Education or Other Legal Code: Education Code 35186
Board Policy/Administrative Regulation #: See AR 1312.4, See E 1312.4
Subject: Complaint rights re: sufficiency instructional materials, teacher vacancy and misassignment, maintenance of facilities, and, for classrooms with grades 10-12, right of students who did not pass the exit exam to receive intensive instruction after completion of grade 12
Santa Clara County Office of Education
Board Policy
Education For Foster Youth

BP 6173.1
Instruction

The Santa Clara County Board of Education (County Board) recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and Santa Clara County Office of Education (SCCOE) academic standards the County Superintendent or Superintendent’s designee shall provide them with access to the SCCOE’s educational program and implement strategies identified as necessary for the improvement of academic achievement of foster youth in the SCCOE’s local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6145 - Extracurricular and Co curricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)
(cf. 6179 – Supplemental Instruction)

The County Superintendent or Superintendent’s designee shall ensure that placement decisions for foster youth are based on the students’ best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as SCCOE liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The County Superintendent or Superintendent’s designee and SCCOE liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training regarding the enrollment, placement, and rights of foster youth.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The County Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students’ self-esteem and academic achievement. The County Superintendent or Superintendent’s designee shall develop strategies to build a foster youth’s feeling of connectedness with his/her school, including, but not limited to,
strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

(cf. 0410 - Nondiscrimination in SCCOE Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

To help ensure the maximum utilization of available funds and to support the educational needs of foster youth, the County Superintendent or Superintendent's designee shall collaborate with local agencies including, but not limited to, the County placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates. The County Superintendent or Superintendent's designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

(cf. 1020 - Youth Services)

At least annually and in accordance with established timelines, the County Superintendent or Superintendent's designee shall regularly report to the County Board on the educational outcomes of foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)

Legal Reference:
EDUCATION CODE
32228-32228.5 Student safety and violence prevention
42238.01-42238.07 Local control funding formula
42920-42925 Foster children educational services
48645-48646 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
48915.5 Suspension and expulsion; students with disabilities, including foster youth
48918.1 Notice of expulsion hearing for foster youth
49061 Student records
49069.5 Foster care students, transfer of records
49076 Access to student records
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
52060-52077 Local control and accountability plan
56055 Rights of foster parents in special education
60851 High school exit examination

HEALTH AND SAFETY CODE
1522.41 Training and certification of group home administrators
1529.2 Training of licensed foster parents
120341 Foster youth: school placement: immunization records

WELFARE AND INSTITUTIONS CODE
300 Children subject to jurisdiction
309 Investigation and release of child
317 Appointments of legal counsel
361 Limitations on parental or guardian control
366.27 Educational decision by relative providing living arrangements
602 Minors violating law; ward of court
726 Limitations on parental or guardian control
727 Order of care, ward of court
160400-16014 Foster care placement

UNITED STATES CODE, TITLE 20
1415 Procedural safeguards; placement in alternative educational setting

UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42
670-679b Federal assistance for foster care programs
11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

CSBA PUBLICATIONS
Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008

AMERICAN BAR ASSOCIATION PUBLICATIONS
Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care, 2005

CALIFORNIA CHILD WELFARE COUNCIL
Partial Credit Model Policy and Practice Recommendations

CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS
Our Children: Emancipating Foster Youth, A Community Action Guide

WEB SITES
CSBA: http://www.csba.org
American Bar Association: http://www.americanbar.org
California Department of Education, Foster Youth Services:  http://www.cde.ca.gov/lsp/fy
California Department of Social Services, Foster Youth Ombudsman Office:
http://www.fosteryouthhelp.ca.gov
California Youth Connection:  http://www.calyouthconn.org/site/cyc
Cities, Counties and Schools Partnership:  http://www.ccspartnership.org

Policy
adopted:  October 20, 2010
revised:  September 3, 2014

SANTA CLARA COUNTY OFFICE OF EDUCATION
San Jose, California
The Santa Clara County Board of Education (County Board) recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. The Santa Clara County Office of Education’s obligation to ensure that foster youth have the opportunity to enable such students to achieve state and Santa Clara County Office of Education (SCCOE) academic standards. SCCOE the County Superintendent or Superintendent’s designee shall provide such students with access to the academic resources, services, and extracurricular and enrichment activities that are available to all SCCOE students. The SCCOE’s educational program and implement strategies identified as necessary for the improvement of academic achievement of foster youth in the SCCOE’s local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5147 - Dropout Prevention)
(cf. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)
(cf. 6179 - Supplemental Instruction)

The Santa Clara County Superintendent of Schools or Superintendent’s designee shall ensure that placement decisions for foster youth are based on the students’ best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as SCCOE liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The County Superintendent or Superintendent’s designee and SCCOE liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training regarding the enrollment, placement, and rights of foster youth.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The County Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students’ self-esteem and academic
achievement. The County Superintendent or Superintendent’s designee shall develop strategies to build a foster youth’s feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

(cf. 0410 - Nondiscrimination in SCCOE Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

To help ensure the maximum utilization of available funds and to support the educational needs of foster youth, the County Superintendent or Superintendent’s designee shall collaborate with local agencies including, but not limited to, the County placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates. The County Superintendent or Superintendent’s designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

(cf. 1020 - Youth Services)

At least annually and in accordance with established timelines, the County Superintendent or Superintendent’s designee shall regularly report to the County Board on the educational outcomes of foster youth regarding the goals and specific actions identified in the LCAP, enrolled in a SCCOE school or program including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5144.1 – Suspension and Expulsion/Due Process)
(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6162.51 – Standardized Testing and Reporting Program State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)

Legal Reference:
EDUCATION CODE
32228-32228.5 Student safety and violence prevention
42238.01-42238.07 Local control funding formula
42920-42925 Foster children educational services
48645-48646 Juvenile court schools
| 48850-48859 | Educational placement of students residing in licensed children's institutions |
| 48915.5 | Suspension and expulsion; students with disabilities, including foster youth |
| 48918.1 | Notice of expulsion hearing for foster youth |
| 49061 | Student records |
| 49069.5 | Foster care students, transfer of records |
| 49076 | Access to student records |
| 51225.1 | Exemption from district graduation requirements |
| 51225.2 | Pupil in foster care defined; acceptance of coursework, credits, retaking of course |
| 51225.3 | High school graduation |
| 52060-52077 | Local control and accountability plan |
| 56055 | Rights of foster parents in special education |
| 60851 | High school exit examination |

**HEALTH AND SAFETY CODE**

| 1522.41 | Training and certification of group home administrators |
| 1529.2 | Training of licensed foster parents |
| 120341 | Foster youth: school placement; immunization records |

**WELFARE AND INSTITUTIONS CODE**

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| 16000-16014 | Foster care placement |

**UNITED STATES CODE, TITLE 20**

| 1415 | Procedural safeguards; placement in alternative educational setting |

**UNITED STATES CODE, TITLE 29**

| 794 | Rehabilitation Act of 1973, Section 504 |

**UNITED STATES CODE, TITLE 42**

| 670-679b | Federal assistance for foster care programs |
| 11431-11435 | McKinney-Vento Homeless Assistance Act |

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http://www.fosteryouthhelp.ca.gov
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