

# ANNUAL NOTICE TO PARENTS/GUARDIANS

2025-2026

DEAR PARENT/GUARDIAN:

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

Education Code section 48982 requires that acknowledgment of this notice be signed by the parent/guardian and returned to your child's school. Your signature on this notice is an acknowledgment that you have received the notice and have been informed of your rights, but the signature does not indicate that consent to participate in any particular program has been either given or withheld.

Please sign and return the acknowledgment form.

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

## KEY TO LEGAL REFERENCES

<b><u>Abbreviation</u></b>	<b><u>Complete Title</u></b>
B&PC	Business and Professions Code
CCR	California Code of Regulations
CFR	Code of Federal Regulations
EC	Education Code
ESSA	Every Student Succeeds Act
FERPA	Family Educational Rights and Privacy Act
H&SC	Health & Safety Code
IDEA	Individuals with Disabilities Education Act
LC	Labor Code
PC	Penal Code
§ 504	Section 504 of the Rehabilitation Act of 1973
USC	United States Code
W&IC	Welfare and Institutions Code

## PUPIL DISCIPLINE

RULES PERTAINING TO PUPIL DISCIPLINE (EC §§ 35291, 48980): The District Governing Board has prescribed rules for the government and discipline of the schools under the Board's jurisdiction. Rules pertaining to pupil discipline are available [at AUHSD Board Policy 8702.](#)

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

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

SAFE STORAGE OF FIREARMS (EC §§ 48980, 48986, 49392): Please refer to Attachment #1 for information regarding child firearm access prevention laws and laws relating to the safe storage of firearms.

DRESS CODE (EC §§ 35183, 35183.5, 51101): The District Governing Board has approved a dress code policy adopted by your child's school. A copy of the dress code is available at the Main Office of your student's school site.

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

TRANSFERS (EC §§ 48929, 48980): As stated in its policy, the governing board may transfer to another school within the District a pupil enrolled who has been convicted of a violent felony, as defined in PC § 667.5(c), or convicted of a misdemeanor listed in PC § 29805 if the pupil to be transferred and the victim of the crime for which the pupil was convicted are enrolled at the same school. Please refer to [Board Policy 8535](#).

CIVILITY POLICY (EC § 44050): A written copy of the District's section on employee interactions with pupils in its code of conduct is attached to this notice. Please refer to [Board Policy 9000 \(CSBA Board Policy 1313\) Civility](#).

## PUPIL RECORDS

PUPIL RECORDS/NOTICE OF PRIVACY RIGHTS OF PARENTS AND STUDENTS (EC § 49063 et seq., § 49069.7, § 49073, 34 CFR 99.30, 34 CFR 99.34, and the federal Family Educational Rights and Privacy Act):

- Types of Pupil Records: A pupil record is any item of information directly related to an identifiable pupil, other than directory information, which is maintained by the District or required to be maintained by a District employee in the performance of his/her duties, whether recorded by handwriting, print, tapes, film, microfilm or other means. Pupil records include a pupil's health record.
- Responsible Officials. Your child's Principal is responsible for the maintenance of pupil records located at your child's school. For pupil records maintained at the District office, the responsible official is Assistant Superintendent, Education.
- Location of Log/Record: The law requires that a log or record be maintained for each pupil's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate interests therefor. For records maintained at your child's school, the log is in your child's file located in the Principal's office. For records maintained at the District office, the log is located in Education Division.
- School Officials and Employees/Legitimate Educational Interests: School officials and employees who are authorized to review pupil records are school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, certificated employee, or support staff member (including, but not limited to, paraeducator, health or medical staff and school law enforcement personnel); a person serving on the school board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, educational consultant or therapist); a vendor, contractor, or other party to whom the District has outsourced institutional services or functions; an agency caseworker of a state or local child welfare agency that has legal responsibility for the care and protection of a pupil, other public agencies providing services to pupils, as well as employees of other public schools or school systems where educational programs leading to high school graduation are provided or where a District pupil intends to or is directed to enroll; a minor's counsel of record. Access to pupil records is permitted only for records that are relevant to the legitimate educational interests of the requester. Upon request, the District discloses educational records without consent to officials of another school district in which the pupil seeks or intends to enroll. Individuals or entities who have legitimate educational interests include those described in California Education Code section 49076.
- Right of Access and Review/Expungement: You have an absolute right to access to any and all pupil records related to your child, which are maintained by the District. A homeless child or youth or an unaccompanied youth who is 14 years of age or older may access his/her pupil records. If you wish to review records located at your child's school, please contact the [Return to Table of Contents](#)

Principal's office, or submit a written request that identifies the record(s) you wish to inspect. If you wish to review records located at the District office, please contact Education Division at (714)999-3586. The Principal or District office has five (5) business days from the day of the receipt of a request to provide access to the records. Upon satisfactory completion of the rehabilitation assignment of a pupil whose expulsion has been suspended by the District Governing Board, the Board may order the expungement of any or all records of the expulsion proceedings. If the Orange County Board of Education enters an order reversing the decision of the District Governing Board to expel a pupil, the County Board may direct the District Governing Board to expunge the record of the pupil and records of the District of any references to the expulsion action. When you submit a written revocation of consent after the initial provision of special education and related services for your child, the District is not required to amend the education records of your child to remove any reference to your child's receipt of special education and services.

- Challenging the Content of Records (EC § 49070): You have the right to challenge the content of any pupil record by filing a written request with the District Superintendent to correct or remove any information recorded in the written records concerning your child which you allege to be any of the following: (1) inaccurate, (2) an unsubstantiated personal conclusion or inference, (3) a conclusion or inference outside the observer's area of competence, (4) not based on the personal observation of a named person with the time and place of the observation noted, (5) misleading, or (6) in violation of the privacy or other rights of the pupil.
- Copying Costs: The District does not charge for internal copying of current pupil records. Parchment fees and surcharges apply to current pupil records when they are provided through Parchment and to all former pupil records, unless an exemption applies.
- Transfer of Records: The District is required to transfer a copy of your child's permanent pupil records within 10 schooldays to the school your child intends to enroll.
- Complaints: You have the right to file a complaint with the United States Department of Education, concerning an alleged failure by the District to comply with the provisions of the federal Family Educational Rights and Privacy Act (20 USC §1232g).
- Prospectus of School Curriculum: The curriculum for your child's school is compiled at least once annually in a prospectus which is available at the your student's school site.
- Statement or Response to Disciplinary Actions: Whenever information is included in a pupil record concerning any disciplinary action taken in connection with your child, you have the right to include a written statement or response concerning the disciplinary action in your child's pupil record.
- Destruction of Pupil Records: The Governing Board of the District is required to retain indefinitely the original or an exact copy of mandatory permanent pupil records (Class 1 - Permanent Records) which schools have been directed to compile by California regulations;  
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maintain for stipulated periods of time mandatory interim pupil records (Class 2 - Optional Records) until the information is no longer needed to provide educational services to a child and

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

**RELEASE OF DIRECTORY INFORMATION** (EC § 49073): The District has designated the following items as “Directory Information”: The District has determined that the Anaheim Union High School District Pledge Partners may receive directory information. For more information about the Pledge Partners and a list of partners, please visit: AUHSD Educational Pledge. Directory information may also be disclosed to outside organizations without your prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks; a playbill, showing your pupil’s role in a drama production; Honor roll or other recognition lists; graduation programs and sports activity sheets. However, no information may be released to a private profit-making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided to a private school or college. No directory information regarding your child may be released if you notify the District that the information shall not be released. You may opt out of sharing directory information concerning your child during the online registration process. Should you wish to change your designation after registration, please submit a written notice to the Principal of your child’s school if you wish to deny access to directory information concerning your child. Release of directory information of a homeless child or youth is prohibited unless a parent or eligible pupil has given written consent that such information may be released.

**CALIFORNIA COLLEGE GUIDANCE INITIATIVE** (EC §§ 10861, 51225.7(f)(3), 51229(a)((6), 60900.5 & 69432.9(c)(2)(A)): The California College Guidance Initiative (CCGI) manages [www.CaliforniaColleges.edu](http://www.CaliforniaColleges.edu), which is the State of California’s official college and career planning platform and is free to all California students in grades six through twelve and their families. The CCGI currently receives enrollment data for all public school students enrolled in grades six through twelve from the California Department of Education (CDE). The data shared will be used to provide pupils and families with direct access to online tools and resources and will enable a pupil to transmit information shared with the CCGI to both of the following: (1) postsecondary educational institutions for purposes of admissions and academic placement; and (2) the Student Aid Commission for purposes of determining eligibility for, and increasing access to, student financial aid.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (“FERPA” 20 USC §1232g): Federal law set forth in FERPA grants parents certain rights with respect to their student’s records. Please refer to Attachment #2 for the Model FERPA Notice.

RELEASE OF INFORMATION TO MILITARY RECRUITERS (20 USC §7908): Federal law requires school districts to provide, on a request made by military recruiters or an institution of higher education, access to secondary school students’ names, addresses and telephone listings. However, you have the right to request that your child’s name, address, and telephone listing shall not be released without your prior written consent. Please submit a written notice to your child’s school Principal if you wish to deny access to this information.

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

PUPIL SUICIDE PREVENTION AND DOMESTIC VIOLENCE HOTLINES (EC §§ 215.5, 48980): The telephone number to reach the National Suicide Prevention Lifeline (988 or 1-800-273-8255) and telephone number for the National Domestic Violence Hotline (1-800-799-7233) is printed on either side of student identification cards.

PUPIL MENTAL HEALTH SERVICES (EC §§ 49428, 48980): Information on how to initiate access to available mental health services on campus or in the community, or both, is available on this Parent Student Handbook on page 15.

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

ADMINISTRATION OF IMMUNIZING AGENTS (EC §§ 49403, 48980): The District Governing Board is required to cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases in school age children, and may permit any person licensed as a physician and surgeon, any person licensed as a registered nurse, or a licensed healthcare practitioner, as specified, who is acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to a pupil whose parent has consented, in writing, to the administration of the immunizing agent.

ADMINISTRATION OF PRESCRIBED MEDICATION (EC §§ 49423, 49423.1, 48980): If your child is required to take prescription medication during the regular school day, you may request assistance for



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

**PLEDGE NOT TO USE ANABOLIC STEROIDS OR PROHIBITED DIETARY SUPPLEMENTS** (EC § 49030 et seq.): A pupil is prohibited from participating in interscholastic high school sports, unless the pupil signs a pledge not to use anabolic steroids without a prescription from a licensed health care practitioner, or a dietary supplement listed in the United States Guide to Prohibited Substances and Prohibited Methods of Doping. As a condition of participation, both the pupil-athlete and his/her parent/guardian must sign a notification form regarding these restrictions.

**TOBACCO-FREE CAMPUS POLICY** (H&SC § 104420): The District Governing Board has adopted and enforces a tobacco-free campus policy. The policy prohibits the use of tobacco products, at any time, in District-owned or leased buildings, on District property and in District vehicles.

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

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

**INSURANCE NOTICE FOR OPERATION OF INTERSCHOLASTIC ATHLETIC TEAM(S)** (EC § 32221.5). School districts that operate an interscholastic athletic team(s) are required to include the following statement, printed in boldface type of prominent size, in offers of insurance coverage that are sent to members of school athletic teams: "Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling Medi-Cal at (800)880-5305. The statement must also be incorporated into any other letters or printed materials, in boldface type of prominent size, that contain the name or logo, or both, of the school district and are sent to members of school athletic teams to inform them of insurance protection.

[District Integrated Pest Management Plan link](#) for a list of all pesticide products expected to be applied at your child's school during the upcoming year.

ASBESTOS MANAGEMENT PLAN (40 CFR §763.93): The District's updated asbestos management plan for each school is available for inspection at each school site or at Maintenance and Operations Office, at the District Office, at 501 N. Crescent Way, Anaheim, 92803 or at (714) 999- 3581.

DANGERS OF SYNTHETIC DRUGS (EC § 48985.5): The District is required to share information annually about the dangers associated with using synthetic drugs that are not prescribed by a physician (such as fentanyl), and the possibility that dangerous synthetic drugs can be found in counterfeit pills. There is also a risk that social media platforms may be used as a way to market and sell synthetic drugs, such a fentanyl. Additional information regarding the dangers of synthetic drugs. counterfeit pills and the risk of social media being used to sell such drugs can be found on the District's website as well as each individual school's website.

The use and abuse of synthetic drugs represents an emerging and ongoing public health threat in California and the nation.

Fentanyl is a major contributor to drug overdoses in California, including among youth. Fentanyl is an extremely potent and dangerous synthetic opioid, like heroin and morphine, and is laboratory engineered to be about 50 times stronger than heroin. This means even small amounts can lead to a fatal overdose. Fentanyl is powerful and difficult to detect.

- What is fentanyl?
  - Fentanyl is a high potency synthetic opioid that is colorless and odorless and can cause rapid respiratory depression resulting in accidental death.
  - It is both a prescribed drug, as well as a drug that is used illegally. All medication that is not from a doctor or pharmacy should be considered unsafe and suspicious for having fentanyl.
  - Illegally manufactured fentanyl is sold illegally as a powder, dropped onto blotter paper, put in eye droppers and nasal sprays, or made into counterfeit pills that look like other prescription opioids. Importantly, fentanyl is also being mixed with other drugs, such as heroin, cocaine, and methamphetamine.

Methamphetamine misuse may result in agitation; increased heart rate and blood pressure; increased respiration and body temperature; anxiety and paranoia. High doses can cause convulsions, cardiovascular collapse, stroke or death.

With a fentanyl-poisoned drug supply, avoiding drug use is the surest way to prevent an overdose. The only safe medications are ones that come from licensed and accredited medical professionals.

## ATTENDANCE

STATUTORY ATTENDANCE OPTIONS (EC §§35160.5, 46600, 48204, 48300, 48980): The District is required to advise each parent/guardian of all existing statutory attendance options and local attendance options available in the District. These are options for attending schools other than the school designated for the local attendance area in which the parent/guardian resides. The options include intradistrict transfer, interdistrict transfer, transfer based on parental employment, and "district of choice" if



established by Governing Board resolution. Please refer to the [AUHSD Board Policy 8536 Transfers-Interdistrict](#) and [Board Policy 8535.5R Transfers – Intradistrict](#) for transfer permit information and policy. Please refer to Attachment #6 for a complete summary of these attendance options.

**EXCUSED ABSENCES** (EC §§48205, 48980): Your child may be excused from school when the absence is for medical or justifiable personal reasons. Your child will be allowed to complete all assignments and tests missed during such an excused absence. Please refer to Attachment #7 for the full text of Education Code section 48205.

**GRADE REDUCTION/LOSS OF ACADEMIC CREDIT** (EC §§ 48205, 48980): Your child may not have his/her grade reduced or lose academic credit for any absence or absences excused under Education Code section 48205, when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Please refer to Attachment #7 for the full text of section 48205.

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

**EXCUSE TO OBTAIN CONFIDENTIAL MEDICAL SERVICES** (EC §46010.1): Pupils in grades 7 to 12 may be excused from school for the purpose of obtaining confidential medical services, without the consent of the pupil's parent/guardian.

**PREGNANT AND PARENTING PUPILS** (EC §§ 222.5, 46015, 48980): Districts may not exclude nor deny any pupil from any educational program or activity on the basis of the pupil's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, and shall treat these conditions in the same manner and under the same policies as any other temporary disabling condition. A pregnant or parenting pupil is entitled to 8 weeks of parental leave, or additional leave if deemed medically necessary by the pupil's physician. During parental leave, absences shall be excused and the pupil shall not be required to complete academic work or other school requirements. After return from parental leave, a pupil may resume the course of study in which he/she was previously enrolled, is entitled to make up work missed, and to take a fifth year of high school instruction if necessary to complete graduation requirements. A pupil may elect to attend an alternative education option instead of returning to the school in which he or she was enrolled prior to parental leave. Schools shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. A pupil shall not incur an academic penalty as a result of his or her use of these accommodations.

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

## NON-DISCRIMINATION

STATEMENT OF NON-DISCRIMINATION (EC §§ 200, 220; Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, § 504 of the Rehabilitation Act of 1973): The District does not discriminate on the basis of race, color, national origin, ethnic group identification, religion, sex/gender (gender identity, gender expression) physical/mental disability or immigration status. Your child has a right to a free public education, regardless of immigration status. Please refer to attachment #9 “Know Your Educational Rights” related to immigration. Additional resources for immigrant students and family members developed by the California Attorney General are accessible at <https://oag.ca.gov/immigrant/resources>. The District will take steps to assure that the lack of English will not be a barrier to admission and participation in District programs.

Complaints alleging noncompliance with the District’s policy of nondiscrimination should be directed to Mrs. Lorena Stout, Equity Compliance Officer (Students), at Anaheim Union High School District-Student Support Services, 501

N. Crescent Way, Anaheim CA, 98201; (714)999-5621. The AUHSD Nondiscrimination Statement can be found [here](#) and in this handbook on page 19. Here is a link to the [District’s Board Policy 8900\(5145.3\) Nondiscrimination/Harassment](#) and see Attachment #10.

SEXUAL HARASSMENT POLICY (EC §§231.5, 48980; 5 CCR §4917): The District’s written sexual harassment policy can be found [here](#) and is Attachment #11 to this notice.

SECTION 504 PROGRAM: Section 504 of the Rehabilitation Act of 1973: The district is committed to equal opportunity for all individuals in education. Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101 et seq.) prohibits discrimination on the basis of disability. Section 504 requires school districts to identify and evaluate children with disabilities in order to provide them a free, appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activity (including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and speaking) are eligible to receive services and aids designed to meet their needs as adequately as the needs of nondisabled students are met.

A student has the right to be educated with nondisabled students to the maximum extent appropriate to the student’s individual needs. You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA, formerly known as EHA).

The California Department of Education and the Office for Civil Rights of the U.S. Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds. (EC § 260, et seq.) If you wish further details, or wish to file a complaint, please contact the district's Section 504 Program Coordinator or other appropriate agency. Also, for more information about identification and education under Section 504, click [here](#) and see Attachment #12.

## PUPILS WITH DISABILITIES

SPECIAL EDUCATION (EC §56000 et seq.; 20 USC §1401 et seq.): Both California and United States law require that a free appropriate public education (FAPE) in the least restrictive environment (LRE) be offered to qualified pupils with disabilities. Information on pupil eligibility, procedural safeguards, and additional matters is available from Special Youth Services at (714)999-3526.

CHILD FIND (EC §§56300, 56301): The District has a duty to identify, locate and assess children with disabilities who are in need of special education and related services. If you believe that your child is in need of special education and related services, you may initiate a referral for assessment by contacting Special Youth Services at (714)999-3526.

## MISCELLANEOUS

### THE CALIFORNIA HEALTHY YOUTH ACT (EDUCATION CODE 51930-51939)

COMPREHENSIVE SEXUAL HEALTH AND/HIV PREVENTION EDUCATION: California state law, the California Healthy Youth Act, requires that comprehensive sexual health education and HIV prevention education be provided to students at least once in middle school or junior high school and once in high school, starting in grade 7. Instruction must encourage students to communicate with parents, guardians, or other trusted adults about human sexuality. Instruction must be medically accurate, age-appropriate, and inclusive of all students. A passive consent letter (Attachment #15) will be sent home to all parents/guardians at least 14 days before instruction. A separate letter will be sent home if guest speakers will be teaching any part of the curriculum. The notice will include the instruction's date, the organization's name, and information stating the right of the parent/guardian to opt their student out of the instruction.

If you have questions or want to examine written and audiovisual instructional materials, please contact the teacher or principal. You may access a copy of the California Healthy Youth Act (California Education Code Sections 51930-51939) at <https://www.cde.ca.gov/ls/he/se/>

State law allows you to remove your student from this instruction. If you do not want your student to participate in comprehensive sexual health or HIV prevention education, please give a written request to the assistant superintendent of Education. The request should be received by the start of the school year or at least two weeks before instruction begins on the comprehensive sexual health unit of study.

The District may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation tools to measure students' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about pupils' attitudes concerning or practices relating to sex. You will be notified in writing that any such test, questionnaire, or survey is to be administered, and you will be allowed to review the test, questionnaire, or survey and request in writing that your child not participate.

DUAL ENROLLMENT AND INTERNATIONAL BACCALAUREATE COURSES (EC § 48980.6): Please click on this link for information regarding the District's [dual enrollment](#) and/or [International Baccalaureate](#) (Kennedy High School Only) courses offered.

DISSECTION OR OTHERWISE HARMING OR DESTROYING ANIMALS (EC § 32255 et seq.): If your child has a moral objection to dissecting or otherwise harming or destroying animals, he/she has a right to notify the teacher regarding this objection and to refrain from participation in an education

project involving the harmful or destructive use of animals which must be substantiated with a note from a parent/guardian.

CAASPP STATE EXAMS (EC § 60615; 5 CCR 852): During the spring, students in grades 3-8 and 11 will take the annual state exams. Parents may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP.

ADVANCE PLACEMENT EXAMS (EC §§ 52242, 48980): The District may be able to help pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged pupils.

COLLEGE ADMISSION REQUIREMENTS; CAREER TECHNICAL EDUCATION (EC §§ 51225.3, 51229, 48980):

- *College Admission Requirements*: The University of California (UC) and the California State University (CSU) have established common high school course requirements for undergraduate admission. Pupils who take these courses and meet other specified criteria are eligible to apply and be considered for admission. The following list is commonly referred to as the “A-G” requirements:
  - (1) two years of history/social science;
  - (2) four years of college preparatory English or language instruction;
  - (3) three years of college preparatory mathematics;
  - (4) two years of college preparatory laboratory science;
  - (5) two years of the same language other than English;
  - (6) one year of visual and performing arts; and
  - (7) one year of college preparatory electives.
- *Websites*: The following UC and CSU web sites help pupils and their families learn about college admission requirements, and also list high school courses that have been certified for undergraduate admission:

UC: <https://admission.universityofcalifornia.edu/admission-requirements/freshman-requirements>

CSU: [www.csumentor.edu/planning/high\\_school/subjects.asp](http://www.csumentor.edu/planning/high_school/subjects.asp)

- *CaliforniaColleges.edu*: This is California’s free online platform that helps students explore colleges, careers, and financial aid options in California. Through their school accounts, students can research universities, track A-G course completion, plan for college applications, and even launch financial aid forms like the FAFSA or CADAA with pre-filled information. The platform also offers tools to explore career pathways, set academic goals, and connect with resources to support their future plans. Parents can encourage their students to use CaliforniaColleges.edu to stay on track for college and career success. [www.CaliforniaColleges.edu](http://www.CaliforniaColleges.edu) is California’s official college and career planning platform. Lessons and tools help students discover goals for life after [Return to Table of Contents](#)

high school, make plans to achieve them, and launch their futures. It's free for California 6th - 12th grade students, their parents, and educators.

- *Career Technical Education*: The California Department of Education defines “career technical education” as a program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide pupils with a pathway to postsecondary education and careers. Career technical education includes agriculture education, home economics, industrial and technology education, and regional occupational centers and programs, among other educational programs.
- For a list of career technical education courses offered by the district that satisfy the subject matter requirements for admission to the Cal State and UC systems, please [click here](#).
- *Website for Career Technical Education*: Pupils can learn more about career technical education at the following California Department of Education website:  
  
[www.cde.ca.gov/ci/ct/](http://www.cde.ca.gov/ci/ct/)
- *Counseling*: Your child has the right to meet with a school counselor for help in choosing courses that will meet college admission requirements, or enrolling in career technical education courses, or both. If you wish to schedule a meeting with a school counselor, please contact the Counseling Office at your student's school.

**CAL GRANT PROGRAM** (EC § 69432.9): The District must notify parents/guardians and students that all 11th grade students will be deemed Cal Grant applicants unless the student opts out. If 11th grade students do not opt out, their grade point average will be submitted electronically to the State of California Cal Grant system. If you do not wish to submit your GPA for Cal Grant consideration, contact your school's principal before September 15th of your junior year. **[For 11<sup>th</sup> grade students]**

**LOCAL APPRENTICESHIP AND PREAPPRENTICESHIP PROGRAMS** (EC §§ 48980, 48980.5 & 49600): The District uses the Department of Industrial Relations' Division of Apprenticeship Standards' database of registered program sponsors to identify available local apprenticeship and preapprenticeship programs. The District may use the contact information from this database to obtain additional information or materials—such as pamphlets or brochures—about these programs. A link to the Department of Industrial Relations' Division of Apprenticeship Standards' apprenticeship and preapprenticeship database can be found on the District's website, or you can visit <https://www.dir.ca.gov/databases/das/aigstart.asp>. **[For 11<sup>th</sup> and 12<sup>th</sup> grade students]**

**SCHOOL ACCOUNTABILITY REPORT CARD** (EC §§35256, 33126, 32286): The District Governing Board annually issues a School Accountability Report Card (SARC) for each school in the District. You may obtain a copy of the SARC from the Principal's office and is also available by [clicking here](#). The SARC includes, but is not limited to, assessment of school conditions specified in California Education Code section 33126. The SARC also includes an annual report on the status of the safety plan for your child's school, including a description of its key elements.

**LANGUAGE PROGRAMS** (EC § 310): Information on the types of language programs available at the district and a description of each program is attached. Please refer to Attachment #13 for a description of each program.

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### HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS

(EC §51240): If any part of the school's instruction in health conflicts with your religious training and beliefs, you may submit a written request that your child be excused from the part of the instruction that conflicts with your religious training and beliefs.

NOTICE OF ALTERNATIVE SCHOOLS (EC § 58501): The law requires the District to provide parent/guardians with a notice of alternative schools. Please refer to Attachment #14 for a copy of the notice specified in Education Code section 58501.

SEX EQUITY IN CAREER COUNSELING AND COURSE SELECTION (EC § 221.5): You have the right to participate in counseling sessions and decisions concerning career counseling and course selection, commencing with course selection for grade 7.

UNIFORM COMPLAINT PROCEDURES (5 CCR § 4622): The District has adopted policies and procedures for the filing, investigation and resolution of complaints regarding alleged violations of federal or state law or regulations governing educational programs, including allegations of unlawful discrimination. A copy of the District's Uniform Complaint Procedures is available from the District office. Please [click here](#), which is the District's Notice of Uniform Complaint Procedures.

EVERY STUDENT SUCCEEDS ACT (ESSA ("ESSA", 20 USC §6301 *et seq.*; EC §§ 313.2, 440):

- Limited English Proficient Children: The ESSA requires the District to inform the parent or parents of a limited English proficient (LEP) child identified for participation or participating in a language instruction educational program, of the following:
  - (1) the reasons for the identification of the child as LEP and in need of placement in a language instruction educational program;
  - (2) the child's level of English proficiency, how such level was assessed and the status of the child's academic achievement;
  - (3) the methods of instruction used in the program in which the child is or will be participating, and the methods of instruction used in other available programs;
  - (4) how the program in which the child is or will be participating, will meet the educational strengths and needs of the child;
  - (5) how such program will specifically help the child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
  - (6) the specific exit requirements for the program;
  - (7) in the case of a child with a disability, how such program meets the objectives of the individualized education program (IEP) of the child; and



- (8) information pertaining to parental rights that includes written guidance detailing the right that parents have to have their child immediately removed from such program upon their request, and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the District.

If your child is LEP and has been identified for participation or is participating in the language instruction educational program, please contact the Education Division for the above information that is specific to your child.

- *Right to Information Regarding the Professional Qualifications of Teachers and Paraprofessionals:* The ESSA grants parents the right to request information regarding the professional qualifications of the children's classroom teachers, including the following:
  - (1) whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - (2) whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
  - (3) the baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and
  - (4) whether the child is provided services by paraprofessionals and, if so, their qualifications.

The District will provide timely notice if your child has been assigned or has been taught for four or more consecutive weeks by a teacher who is not highly qualified. A template of this 4 week notification letter is available at [this link](#).

- *Information on Child's Level of Achievement:* The District will provide timely information on the level of achievement of your child in each of the state academic assessments.
- *Homeless Liaison:* Homeless pupils have certain rights under California and federal law. For information concerning these rights, please contact the District's liaison for homeless children and youths, Dr. Adela Cruz who may be contacted at (714)999-7734.
- *Release of Pupil Information to Military Recruiters:* Please see entry under Pupil Records.

## Firearms Safety Memorandum

**To:** Parents and Guardians of Students in the Anaheim Union High School District

**From:** Michael Matsuda

**Subject:** California Law Regarding Safe Storage of Firearms

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The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the Anaheim Union High School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.<sup>1</sup>
  - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.<sup>2</sup>

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<sup>1</sup> See California Penal Code sections 25100 through 25125 and 25200 through 25220.

<sup>2</sup> See California Penal Code section 25100(c).

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.<sup>3</sup>
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.<sup>4</sup>

**Note:** Your county or city may have additional restrictions regarding the safe storage of firearms. You can find additional information on the California Department of Justice website at <https://oag.ca.gov/firearms/tips>.

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

Sincerely,

Michael Matsuda  
Superintendent  
Anaheim Union High School District

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<sup>3</sup> See California Civil Code Section 29805.

<sup>4</sup> See California Civil Code Section 1714.3.

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## Model Notification of Rights for Elementary and Secondary Schools

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

1. The right to inspect and review the student's education records maintained by the school. These rights transfer to the eligible student when he/she reaches the age of 18 or attends a school beyond the high school level.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the school to amend their child's or their education record should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

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

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

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

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

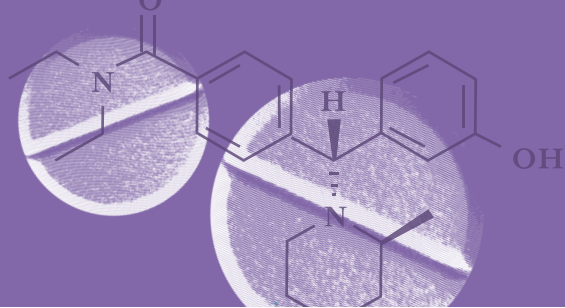
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

CDC OPIOID FACTSHEET



# PRESCRIPTION OPIOIDS: WHAT YOU NEED TO KNOW



Prescription opioids can be used to help relieve moderate-to-severe pain and are often prescribed following a surgery or injury, or for certain health conditions. These medications can be an important part of treatment but also come with serious risks. It is important to work with your health care provider to make sure you are getting the safest, most effective care.

## WHAT ARE THE RISKS AND SIDE EFFECTS OF OPIOID USE?

**Prescription opioids carry serious risks of addiction and overdose, especially with prolonged use.** An opioid overdose, often marked by slowed breathing, can cause sudden death. The use of prescription opioids can have a number of side effects as well, even when taken as directed:

- Tolerance—meaning you might need to take more of a medication for the same pain relief
- Physical dependence—meaning you have symptoms of withdrawal when a medication is stopped
- Increased sensitivity to pain
- Constipation
- Nausea, vomiting, and dry mouth
- Sleepiness and dizziness
- Confusion
- Depression
- Low levels of testosterone that can result in lower sex drive, energy, and strength
- Itching and sweating

As many as  
**1 in 4**  
PEOPLE\*



receiving prescription opioids long term in a primary care setting struggles with addiction.

\* Findings from one study

## RISKS ARE GREATER WITH:

- History of drug misuse, substance use disorder, or overdose
- Mental health conditions (such as depression or anxiety)
- Sleep apnea
- Older age (65 years or older)
- Pregnancy

Avoid alcohol while taking prescription opioids. Also, unless specifically advised by your health care provider, medications to avoid include:

- Benzodiazepines (such as Xanax or Valium)
- Muscle relaxants (such as Soma or Flexeril)
- Hypnotics (such as Ambien or Lunesta)
- Other prescription opioids



U.S. Department of  
Health and Human Services  
Centers for Disease  
Control and Prevention



American Hospital  
Association®

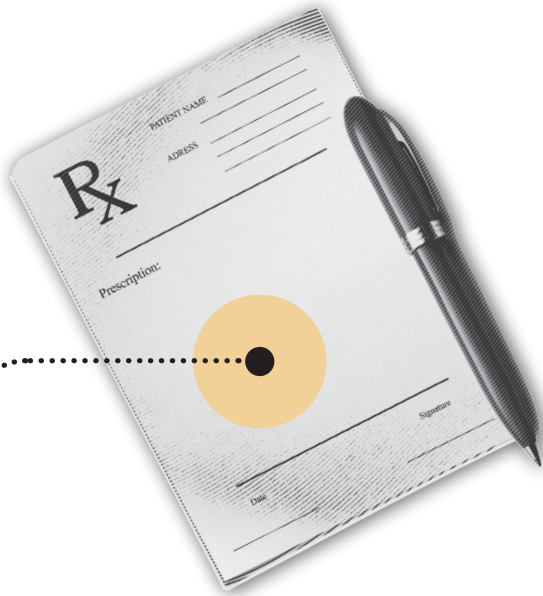
CS264107C

May 9, 2016

## KNOW YOUR OPTIONS

Talk to your health care provider about ways to manage your pain that don't involve prescription opioids. Some of these options **may actually work better** and have fewer risks and side effects. Options may include:

- ❑ Pain relievers such as acetaminophen, ibuprofen, and naproxen
- ❑ Some medications that are also used for depression or seizures
- ❑ Physical therapy and exercise
- ❑ Cognitive behavioral therapy, a psychological, goal-directed approach, in which patients learn how to modify physical, behavioral, and emotional triggers of pain and stress.



### Be Informed! ←

Make sure you know the name of your medication, how much and how often to take it, and its potential risks & side effects.



## IF YOU ARE PRESCRIBED OPIOIDS FOR PAIN:

- ❑ Never take opioids in greater amounts or more often than prescribed.
- ❑ Follow up with your primary health care provider within \_\_\_\_ days.
  - Work together to create a plan on how to manage your pain.
  - Talk about ways to help manage your pain that don't involve prescription opioids.
  - Talk about any and all concerns and side effects.
- ❑ Help prevent misuse and abuse.
  - Never sell or share prescription opioids.
  - Never use another person's prescription opioids.
- ❑ Store prescription opioids in a secure place and out of reach of others (this may include visitors, children, friends, and family).
- ❑ Safely dispose of unused prescription opioids: Find your community drug take-back program or your pharmacy mail-back program, or flush them down the toilet, following guidance from the Food and Drug Administration ([www.fda.gov/Drugs/ResourcesForYou](http://www.fda.gov/Drugs/ResourcesForYou)).
- ❑ Visit [www.cdc.gov/drugoverdose](http://www.cdc.gov/drugoverdose) to learn about the risks of opioid abuse and overdose.
- ❑ If you believe you may be struggling with addiction, tell your health care provider and ask for guidance or call SAMHSA's National Helpline at 1-800-662-HELP.

## Type 1 Diabetes Information

Pursuant to California Education Code Section 49452.6, this type 1 diabetes information is for local educational agencies to provide to parents and guardians of incoming elementary school students beginning January 1, 2023.

Type 1 diabetes in children is an autoimmune disease that can be fatal if untreated, and the guidance provided in this information sheet is intended to raise awareness about this disease.

### Description

#### **Type 1 diabetes usually develops in children and young adults but can occur at any age**

According to the U.S. Centers for Disease Control and Prevention (CDC), cases of type 1 diabetes in youth increased nationally from 187,000 in 2018 to 244,000 in 2019, representing an increase of 25 per 10,000 youths to 35 per 10,000 youths, respectively.

The peak age of diagnosis of type 1 diabetes is 13-14 years, but diagnosis can also occur much earlier or later in life.

#### **Type 1 diabetes affects insulin production**

As a normal function, the body turns the carbohydrates in food into glucose (blood sugar), the basic fuel for the body's cells.

The pancreas makes insulin, a hormone that moves glucose from the blood into the cells. In type 1 diabetes, the body's pancreas stops making insulin, and blood glucose levels rise. Over time, glucose can reach dangerously high levels in the blood, which is called hyperglycemia. Untreated hyperglycemia can result in diabetic ketoacidosis (DKA), which is a life-threatening complication of diabetes.

### **Risk Factors Associated with Type 1 Diabetes**

It is recommended that students displaying warning signs associated with type 1 diabetes, which are described below, should be screened (tested) for the disease by their health care provider.

#### **Risk Factors**

Researchers do not completely understand why some people develop type 1 diabetes and others do not; however, having a family history of type 1 diabetes can increase the likelihood of developing type 1 diabetes. Other factors may play a role in developing type 1 diabetes, including environmental triggers such as viruses. Type 1 diabetes is not caused by diet or lifestyle choices.

### **Warning Signs and Symptoms Associated with Type 1 Diabetes and Diabetic Ketoacidosis**

Warning signs and symptoms of type 1 diabetes in children develop quickly, in a few weeks or months, and can be severe. If your child displays the warning signs below, contact your child's primary health care provider or pediatrician for a consultation to determine if screening your child for type 1 diabetes is appropriate:

Increased thirst  
Increased urination, including bed-wetting after toilet training  
Increased hunger, even after eating  
Unexplained weight loss  
Feeling very tired  
Blurred vision  
Very dry skin  
Slow healing of sores or cuts  
Moodiness, restlessness, irritability, or behavior changes

DKA is a complication of untreated type 1 diabetes. DKA is a medical emergency. Symptoms include:

Fruity breath  
Dry/flushed skin  
Nausea  
Vomiting  
Stomach pains  
Trouble breathing  
Confusion

### Types of Diabetes Screening Tests That Are Available

**Glycated hemoglobin (A1C) test.** A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.

**Random (non-fasting) blood sugar test.** A blood sample is taken any time without fasting. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes.

**Fasting blood sugar test.** A blood sample is taken after an overnight fast. A level of 126mg/dL or higher on two separate tests indicates diabetes.

**Oral glucose tolerance test.** A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

### Type 1 Diabetes Treatments

There are no known ways to prevent type 1 diabetes. Once type 1 diabetes develops, medication is the only treatment. If your child is diagnosed with type 1 diabetes, their health care provider will be able to help develop a treatment plan. Your child's health care provider may refer your child to an endocrinologist, a doctor specializing in the endocrine system and its disorders, such as diabetes.

Contact your student's school nurse, school administrator, or health care provider if you have questions.

### References

Centers for Disease Control and Prevention

KidsHealth

Mayo Clinic

National Library of Medicine and National Institutes of Health's MedLine

**Questions: Office of School-Based Health Programs | [schoolnurse@cde.ca.gov](mailto:schoolnurse@cde.ca.gov)**

## Type 2 Diabetes Information

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

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

### Description

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

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

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

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

### Risk Factors Associated with Type 2 Diabetes

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

#### Risk Factors

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

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



## Warning Signs and Symptoms Associated with Type 2 Diabetes

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

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

## Type 2 Diabetes Prevention Methods and Treatments

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

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

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

## Types of Diabetes Screening Tests That Are Available

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

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



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## Statutory Attendance Options

Information provided by the California Department of Education  
(<https://www.cde.ca.gov/re/di/fq/districttransfers.asp>)

### District Transfers

Laws regarding intradistrict and interdistrict transfers.

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Policies regarding intradistrict/open enrollment and interdistrict/reciprocal agreement transfers are the responsibility of each local district governing board and are not within the jurisdiction of the California Department of Education (CDE). Each local district governing board has ultimate authority over general education processes such as district transfers. Parents/guardians shall work with their local school district administration to share their concerns and to determine what local processes their district has in place regarding district transfers. Contact information for California public schools, private schools, nonpublic and nonsectarian schools, County Offices of Education, and school districts can be found on the CDE California School Directory Web page (<https://www.cde.ca.gov/schooldirectory>).

California law requires school districts to provide an education to any student who resides within the district's attendance area. Although students have the right under California law to a free, public education, the law does not guarantee that a student can attend the school of his or her choice, or even the neighborhood school.

California's educational system relies on local control for the management of school districts on the theory that those closest to the problems and needs of each individual district are the best able to make appropriate decisions on behalf of the district. In allocating their resources among the schools of the district, school district governing boards and district administrators must follow the law, but they also have the additional task of setting the educational priorities for their schools and weighing the importance and urgency of all of their education needs.

The following options are available as further detailed below:

- District of Choice
- Intradistrict Transfer
- Interdistrict Transfer/Reciprocal Agreement
- Interdistrict Transfer Because of Parent Employment/Allen Bill
- District Transfers and Transportation
- School Choice

### District of Choice

In 2017, the state budget act significantly changed the requirements for districts that elected to participate in the school District of Choice program. The new requirements are outlined in California Education Code (EC) sections 48300 through 48316. Under these new provisions, the District of Choice determines the number of transfer students it is willing to accept and must ensure that students admitted are selected through a random, unbiased process. The admissions process prohibits an evaluation of whether or not the student should be enrolled based on his or her academic or athletic performance, physical condition or proficiency in English. For more information, visit the CDE's District of Choice web page (<https://www.cde.ca.gov/sp/eo/dc/index.asp>).

## Intradistrict Transfer

An intradistrict transfer/open enrollment is when parents/guardians wish to register/admit/enroll their student(s) at a school other than the designated school that is in their attendance area **within** their district.

California Education Code section 35160.5(b) permits parents to indicate a preference for the school which their child will attend, irrespective of the child's place of residence **within** the district, and requires the district to honor this parental preference if the school has sufficient capacity without displacing other currently enrolled students.

Districts are encouraged to give preference to siblings attending the same school and to consider the location of parents' places of employment or established child care arrangements in determining enrollment priority. Districts are allowed to make case-by-case exceptions in order to ameliorate harmful or dangerous situations.

## Interdistrict Transfer/Reciprocal Agreement

An interdistrict transfer/reciprocal agreement is when parents/guardians wish to register/admit/enroll their student(s) at a school other than the designated school that is in their attendance area **outside** of their district.

California Education Code sections 46600–46610 permits parents/guardians to request an interdistrict transfer/reciprocal agreement. The fundamental basis for this provision is the signing of an agreement between districts. Interdistrict transfer/reciprocal agreement must be approved by both the student's original district of residence and the district to which the student seeks to transfer to. Both districts must approve the agreement before it becomes valid. The agreement may extend for a maximum of five consecutive years and may include terms or conditions. It is within the authority of either the home district or the receiving district to revoke an interdistrict transfer/reciprocal agreement at any time for any reason the local board or district superintendent deems appropriate.

If a request for an interdistrict transfer/reciprocal agreement is denied, the student's parents/guardians may file an appeal to the county office of education in the student's district of residence within 30 days of receipt of the official notice of denial of the transfer.

## Interdistrict Transfer Because of Parent Employment/Allen Bill

California Education Code section 48204(b) permits a school district to deem a pupil to have complied with the residency requirements for school attendance in the district if at least one parent/guardian of the pupil is physically employed within the boundaries of that district. Once admitted to residency, the pupil's transfer may be revoked only if the parent ceases to be employed within the boundaries of the district. As a resident, the student does not have to re-apply for the transfer to be valid.

## District Transfers and Transportation

California Education Code Section 41850 provides annual funding to district for home-to-school transportation and special education transportation. Reimbursements are made to districts on a cost-per-mile traveled basis. However, participation in the home-to-school transportation program is wholly voluntary and some districts do not provide these services. Districts may choose to assess a fee for home-to-school transportation.

## School Choice

Under the Every Student Succeeds Act (ESSA) section 1111(d)(1)(D), for schools identified for comprehensive support and improvement (CSI), the local educational agency (LEA) may provide all

students enrolled in the school with the option to transfer to another public school served by the LEA, unless such an option is prohibited by State law. (ESSA section 1111(d)(1)(D)(i))

In providing students the option to transfer to another public school, the LEA shall:

- Give priority to the lowest achieving children from low-income families, as determined by the local educational agency for purposes of allocating funds to schools under section 1113(c)(1) (ESSA Section 1111(d)(1)(D)(ii));
- Ensure that a student who transfers to a school in the LEA that is not identified for CSI enroll in classes and other activities in the public school in the same manner as all other students in the school (ESSA Section 1111(d)(1)(D)(iii));
- Permit a student who transfers to another public school in the LEA that is not identified for CSI to remain in that school until the student has completed the highest grade in that school (ESSA Section 1111(d)(1)(D)(iv)).

The public school choice (Choice) program under the No Child Left Behind (NCLB) was phased out in the 2017-18 school year due to the implementation of the ESSA. However, LEAs are still required to provide transportation to students who transferred to non-program improvement schools under the NCLB Choice program and allow such students to remain in the schools of choice until they complete the highest grade level in that school.

Additional information is located on the Title I, Part A School Choice web page (<https://www.cde.ca.gov/sp/sw/t1/schoolchoice.asp>).

**Education Code § 48205. Excused absences; average daily attendance computation**

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.
  - (5) For the purpose of jury duty in the manner provided for by law.
  - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child, for which the school shall not require a note from a doctor.
  - (7) For justifiable personal reasons, including, but not limited to, an attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
  - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - (9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
  - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
  - (11) For the purpose of participating in a cultural ceremony or event.
  - (12)(A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.  
(B)(i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.  
(ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.
  - (13)(A) For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died, so long as the absence is not more than three days per incident.
    - (i) To access services from a victim services organization or agency.
    - (ii) To access grief support services.
    - (iii) To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close

association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

(B) Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.

(14) Due to the pupil's participation in military entrance processing.

(15) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

(b) A pupil absent from school pursuant to this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit for those assignments and tests. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed one schoolday per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) For purposes of this section, the following definitions apply:

(1) A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

(2) "Cultural" means relating to the practices, habits, beliefs, and traditions of a certain group of people.

(3) "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

(4) "Victim services organization or agency" has the same meaning as defined in subdivision (j) of Section 12945.8 of the Government Code.

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## Rights and Options Available to Married/Pregnant/Parenting Pupils

The Governing Board recognizes that responsibilities related to marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

The district shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. In addition, the district shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. (Education Code 221.51, 230; 5 CCR 4950; 34 CFR 106.40)

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available to them under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002). The district shall not make pre-admission inquiry as to the marital status of an applicant for admission, including whether such applicant is "Miss" or "Mrs." A district may make pre-admission inquiry as to the sex of an applicant for admission, but only if such inquiry is made equally of such applicants of both sexes and if the results of such inquiry are not used in connection with discrimination prohibited by Title IX. (34 CFR Section 106.21(c)(4))

### **Education and Support Services for Pregnant and Parenting Students**

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.

Any alternative education program, activity, or course that is offered separately to pregnant or parenting students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR 4950)

If required for students with any other temporary disabling condition, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the regular education program or activity. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)



To the extent feasible, the district shall provide educational and related support services, either directly or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities
2. Parenting education and life skills instruction
3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28
4. Health care services, including prenatal care
5. Tobacco, alcohol, and/or drug prevention and intervention services
6. Academic and personal counseling
7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

### **Absences**

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

### **Parental Leave**

A pregnant or parenting student shall be entitled to eight weeks of parental leave in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician. (Education Code 46015; 34 CFR 106.40)

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. No student shall be required to take all or part of the parental leave. (Education Code 46015)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A pregnant or parenting student shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

Following the leave, a pregnant or parenting student may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

### **Accommodations**

When necessary, the district shall provide accommodations to enable a pregnant or parenting student to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR 106.40)

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222)

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

### **Complaints**

Any complaint alleging discrimination on the basis of pregnancy or marital or parental status, district noncompliance with the requirements of Education Code 46015, or district noncompliance with the

requirement to provide reasonable accommodations for lactating students shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222, 46015; 5 CCR 4600- 4670)

### **Program Evaluation**

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on student participation in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

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## Know Your Educational Rights

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

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

### Information Required for School Enrollment

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

### Confidentiality of Personal Information

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

### Family Safety Plans if You Are Detained or Deported

- You can update your child's emergency contact information with their school, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for your child.

### Right to File a Complaint

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

**AUHSD Board Policy 8900 (5145.3) Nondiscrimination/Harassment**

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

The Board of Trustees desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to

parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. The Superintendent shall report his or her findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

#### Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(714) 999-1512

#### Legal Reference:

##### EDUCATION CODE

200-262.4	Educational equity; prohibition of discrimination
48900.3	Suspension or expulsion for act of hate violence
48900.4	Suspension or expulsion for threats or harassment
48904	Liability of parent/guardian for willful student misconduct
48907	Exercise of free expression; rules and regulations
48950	Speech and other communication

48985 Translation of notices  
49020-49023 Athletic programs  
49060-49079 Student records  
51500 Prohibited instruction or activity  
51501 Prohibited means of instruction  
60044 Prohibited instructional materials

#### CIVIL CODE

1714.1 Liability of parent or guardian for willful misconduct of minor

#### PENAL CODE

422.55 Definition of hate crime  
422.6 Civil rights; crimes

#### CODE OF REGULATIONS, TITLE 5

432 Student records  
4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

#### UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972  
12101-12213 Title II equal opportunity for individuals with disabilities

#### UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

#### UNITED STATES CODE, TITLE 42

12101-12213 Title II equal opportunity for individuals with disabilities  
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
6101-6107 Age Discrimination Act of 1975

#### CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints



## CODE OF FEDERAL REGULATIONS, TITLE 34

99.31	Disclosure of personally identifiable information
100.3	Prohibition of discrimination on basis of race, color or national origin
104.7	Designation of responsible employee for Section 504
106.8	Notice
106.9	Notification of nondiscrimination on basis of sex

Board of Trustees:

November 5, 2015

Revised: June 16, 2022

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The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in BP 91200 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Equity Compliance Officer (Students)  
Administrator, Student Support Services  
501 N. Crescent Way, Anaheim, CA 92801  
(714)999-5621  
[EquityComplianceOfficer@auhsd.us](mailto:EquityComplianceOfficer@auhsd.us)

Title IX Coordinator (Student)  
Administrator, Student Support Services  
501 N. Crescent Way, Anaheim, CA 92801  
(714)999-5621  
[TitleIXCoordinator@auhsd.us](mailto:TitleIXCoordinator@auhsd.us)

#### Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through district-supported communications
2. Post the district's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a

section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
4. Post in a prominent location on the district web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)
  - a. The name and contact information of the district's Title IX Coordinator, including the phone number and email address
  - b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
  - c. A description of how to file a complaint of noncompliance under Title IX, which shall include:
    - i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
    - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site
    - iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
  - d. A link to the Title IX information included on the California Department of Education's (CDE) web site
5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-

based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

6. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.
7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.
8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students.
10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

#### Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 8900 (5145.3) - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

#### Process for Initiating and Responding to Complaints

Students who feel that they have been subjected to unlawful discrimination described above or in district policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint. Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint. Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with BP 91200 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination. Any report or complaint alleging unlawful discrimination by

the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

#### Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students

*Gender identity* of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

*Gender expression* means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

*Gender transition* refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

*Gender-nonconforming student* means a student whose gender expression differs from stereotypical expectations.

*Intersex student* means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

*Nonbinary student* means a student whose gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

*Transgender student* means a student whose gender identity is different from the gender assigned at birth. The district prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's

gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable

3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's gender identity to individuals who do not have a legitimate need for the information, without the student's consent
6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The district's uniform complaint procedures (BP 91200) or Title IX sexual harassment procedures (BP 8708), as applicable, shall be used to report and resolve complaints alleging discrimination against intersex, nonbinary, transgender, and gender-nonconforming students. Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's gender identity, discriminatory enforcement of a dress code, and other instances of gender-based harassment. To ensure that intersex, nonbinary, transgender, and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's intersex, nonbinary, transgender, or gender-nonconforming status is the student's private information. The district shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or safety of the student, and keeping a student's unofficial record separate from the official record.

The district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's intersex, nonbinary, transgender, or gender-nonconforming status is disclosed shall keep the student's



information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer or designee. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as an intersex, nonbinary, transgender, or gender-nonconforming student. If the student permits the employee to notify the compliance officer or designee, the employee shall do so within three school days. As appropriate given the student's need for support, the compliance officer or designee may discuss with the student any need to disclose the student's intersex, nonbinary, transgender, or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. Determining a Student's Gender Identity: The compliance officer or designee shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. Addressing a Student's Transition Needs: The compliance officer or designee shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the intersex, nonbinary, transgender, or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer or designee shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as an intersex, nonbinary, transgender, or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because the student is intersex, nonbinary, transgender, or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.
5. Student Records: Upon each student's enrollment, the district is required to maintain a mandatory permanent student record (official record) that includes the student's gender and legal name. A student's legal name as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having legal custody of the student. (Education Code 49061) However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.
6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.
7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

AR rev. 6/2024

**AUHSD Board Policy 8708 Sexual Harassment, Students**

The Anaheim Union High School District is committed to maintaining a learning environment that is free of harassment and discrimination. The District prohibits the unlawful sexual harassment of any student by anyone at school or at school-sponsored or school-related activities. Under federal and state law, the term sexual harassment includes sexual violence. The District also prohibits retaliatory behavior or action against any person who reports, testifies about, files a complaint, or otherwise participates in a District complaint, investigation or grievance process regarding alleged sexual harassment in violation of this policy.

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment; or, under Title IX of the Education Amendments of 1972 (Title IX), a hostile environment has been created if the unwelcome conduct of a sexual nature is sufficiently serious that it denies or limits the student's ability to participate in or benefit from the educational program.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

Though an incident of sexual harassment may occur off campus or unrelated to school activity, if the effects of the incident may result in harassment, intimidation, or bullying at school or at school-sponsored or school-related activities, which is sufficiently serious to interfere with or limit the targeted student's ability to participate in or benefit from the education program, the District Title IX Coordinator/designee or Principal/designee shall promptly investigate, determine what occurred, and take action to eliminate any harassment, intimidation, or bullying that occurs at school or at school-sponsored or school-related activities, prevent its recurrence, and address its effects.

A "report" or "complaint" is defined as any oral or written communication to a District employee or administrator which alleges behavior or misconduct that may constitute sexual harassment or sexual violence. A report or complaint may include an oral report, an email, a text message, or other message conveyed to a District employee or administrator. The report or complaint does not have to be on a particular form or use specific words to identify the law which may have been violated.

An “educational setting” includes participation in educational programs and activities of the school or District, including all the academic, educational, extracurricular, athletic, and other programs and activities of the school, whether those programs or activities take place in a school’s facilities, on a school bus, or at a class or training program sponsored by the school or District at another location.

A “third-party” includes someone who is connected to the school or the district for educational, business, or extra-curricular purposes. For example, a third-party may include a vendor, volunteer, coach, or other person who is on school or District grounds during the hours of operation or who is present in the educational setting.

Examples of types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Unwelcome or demeaning conduct or comments of a sexual nature directed at or about an individual related to actual or perceived gender, gender identity and gender expression, sex, sexual behavior, sexual orientation, or other related personal characteristics.
4. Graphic verbal comments about an individual’s body or overly personal conversation(s).
5. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature.
6. Spreading sexual rumors.
7. Teasing or sexual remarks about students enrolled in a predominantly single-sex class.
8. Massaging, grabbing, fondling, stroking, or brushing the body.
9. Touching an individual’s body or clothes in a sexual way.
10. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex.
11. Displaying sexually suggestive objects.
12. Sexual violence, including, but not limited to, sexual assault or sexual battery as defined in Education Code 48900(n), or sexual coercion.
13. Dating violence, stalking, and relationship abuse.

14. Electronic communications containing words, or images described above, including but not limited to sending of sexual pictures, images, web pages, memes, gifs, or messages through text messaging, social media, or other technologies using a telephone, computer, or any wireless communications device.
15. A District employee engaging in, soliciting, or encouraging a sexual relationship or sexual activity with a student(s) based on written, verbal, and/or physical contact or fraternization with a student(s). In some circumstances, a District employee's physical contact with a student may also take on sexual connotations and rise to the level of sexual harassment. For example, a District employee's behavior, such as repeatedly hugging and putting their arms around a student under inappropriate circumstances, could rise to the level of unwelcome touching of a sexual nature.
16. Sexual relationships between District employees and students.
17. Sexual relationships between District employees and former students, if (a) the District employee pursued an intimate or sexual relationship with the former student while the student was enrolled in the District and while the employee was employed with the District.; (b) if the District employee's pursuing behavior took place in an educational setting; or (c) if the District employee's behavior adversely affects the current educational environment.
18. Sexual relationships between District employees and students or former students may also violate Title IX.

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

1. What acts and behavior constitute sexual harassment and sexual violence, including the fact that sexual harassment and sexual violence could occur between people of the same sex.
2. A clear message that students do not have to endure sexual harassment or sexual violence.
3. Encouragement for a student to immediately contact a teacher, the Principal/designee or any other available District employee if the student has been subjected to sexual harassment by a student, District employee, or a third-party in the educational setting.
4. Explanation that, when a report of sexual harassment is made to a Principal/designee, that administrator shall inform the student and/or parent/guardian of the right to file a written complaint through the District's Uniform Complaint Procedures, and also explain how to access those procedures.
5. Encouragement for student bystanders to report observed instances of sexual harassment, even where the target of the harassment has not complained.

6. Information about the District's procedure for investigating sexual harassment complaints and the person(s) to whom a report of sexual harassment should be made.
7. Information about the rights of students and parents/guardians to file a criminal complaint or an OCR complaint, as applicable

**Title IX Coordinator**

The Board designates the Title IX Coordinator to receive and direct investigation of complaints under this policy, maintain records of complaints and subsequent related actions, ensure District compliance with the law, and answer inquiries regarding the District's sexual harassment policies. The Title IX Coordinator may designate another District employee or third-party investigator to investigate complaints.

Title IX Coordinator  
501 N. Crescent Way / P.O. Box 3520  
Anaheim, CA 92803  
Phone: 714 999-5621  
stout\_1@auhsd.us

**Student Reports**

Any student who believes they have been subjected to sexual harassment or who has witnessed sexual harassment may report the conduct to any District employee.

**District Employee Observation and Reports**

Any District employee who receives a sexual harassment report shall promptly report it to the Title IX Coordinator.

Any such report by a District employee does not satisfy the obligation to make a mandated report of suspected child abuse, if applicable.

**Reports about Principal/Designee**

Where a sexual harassment report or complaint involves the Principal/designee/employee's supervisor, District Title IX Coordinator, or any other person to whom the complaint, report, or incident would ordinarily be reported or filed, the report may instead be submitted to the Superintendent or designee who shall determine who will investigate the complaint.

**Notification of Factual Findings from other Entities**

If the District is on notice of a factual finding that a District employee engaged in behavior with a student, (including a student from a different school or district), which may constitute sexual harassment or sexual violence as defined in this policy, the District Title IX Coordinator shall investigate the circumstances surrounding the factual finding.



If the District is on notice of a factual finding that a student engaged in behavior with another student, (including a student from a different school or district), which may constitute sexual harassment or sexual violence as defined in this policy, the District Title IX Coordinator shall investigate the circumstances surrounding the factual finding.

If the District Title IX Coordinator is able to determine that the factual finding rises to the level of sexual harassment in violation of this policy, the District shall promptly take action to eliminate the sexual harassment in the educational setting, prevent its recurrence in the educational setting, and address its effects in the educational setting.

For the purposes of this section, a “factual finding” includes a finding of fact made by another public or private school, a law enforcement agency, a child protection agency, a court, the Commission on Teaching Credentials, or any other finding of fact provided to the District which indicates that a District employee or student engaged in behavior which may constitute a violation of this policy and poses a risk to the safety of the District’s students.

### **Other Complaint Options**

A student may file a complaint of sexual harassment and, if desired, simultaneously proceed with a criminal complaint. When and if applicable, the District Title IX Coordinator will inform the complainant and respondent of the status of the investigation and when the investigation resumes if a temporary delay is caused by the initiation of a criminal investigation.

A student may also file a sex discrimination complaint with the Office for Civil Rights (OCR) of the United States Department of Education.

### **Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce the District’s sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti.
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond. Training for staff may include topics of child abuse reporting and Title IX compliance.
3. Disseminating and/or summarizing the District’s policy and regulation regarding sexual harassment.
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school’s response to parents/guardians and the community.
5. Taking appropriate disciplinary action.
6. Taking appropriate remedial or corrective actions.

**Confidentiality**

All complaints and allegations of sexual harassment or sexual violence shall be kept confidential except as necessary to carry out the investigation, take subsequent remedial or corrective action, conduct ongoing monitoring, or as required by law.

**Maintenance of Records**

The District Title IX Coordinator, in consultation with the Superintendent or designee, shall maintain a record of all reported cases of sexual harassment and sexual violence to enable the District to monitor, address, and prevent harassing behavior in the educational setting.

**Notifications**

A copy of the District's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year
2. Be displayed on the District and school websites, in a prominent location in the main administrative building, and in other areas where notices of District rules, regulations, procedures, and standards of conduct are posted
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session
4. Appear in any school or District publication that sets forth the school's or District's comprehensive rules, regulations, procedures, and standards of conduct
5. Be included in the student handbook
6. Be provided District employees at the beginning of the first quarter or semester of the school year, or when a new District employee is hired
7. Be provided to employee organizations

Legal Reference:

**EDUCATION CODE**

200-262.4	Prohibition of discrimination on the basis of sex
48900	Grounds for suspension or expulsion
48900.2	Additional grounds for suspension or expulsion; sexual harassment
48904	Liability of parent/guardian for willful student misconduct
48980	Notice at beginning of term

**CIVIL CODE**

51.9            Liability for sexual harassment; business, service and professional relationships  
1714.1        Liability of parents/guardians for willful misconduct of minor

**GOVERNMENT CODE**

12950.1       Sexual harassment training

**CODE OF REGULATIONS, TITLE 5**

3080           Application of section  
4600-4687    Uniform complaint procedures  
4900-4965    Nondiscrimination in elementary and secondary education programs

**UNITED STATES CODE, TITLE 20**

1221           Application of laws  
1232g        Family Educational Rights and Privacy Act  
1681-1688   Title IX, discrimination

**CODE OF FEDERAL REGULATIONS, TITLE 34**

99.1-99.67   Family Educational Rights and Privacy  
106.1-106.71 Nondiscrimination on the basis of sex in education programs

Board of Trustees

October 25, 2001

References Reviewed: November 2003

Revised: November 5, 2019

Revised: December 15, 2020

Revised: November 17, 2022

Revised: May 7, 2024

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**Students – Sexual Harassment**

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student was subjected to one or more of the following forms of sexual harassment:

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking, on the basis of sex, as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints shall be investigated and responded to pursuant to BP 91200 - Uniform Complaint Procedures or BP 8701.1 – Anti-Bullying. The specific determination as to process will be made by Complainant. If no process is selected, BP 8701.1 will be used to ensure prompt and effective investigation.

**Filing a Complaint**

A report of sexual harassment shall be submitted directly to or forwarded to the District's Title IX Coordinator:

Title IX Coordinator  
501 N. Crescent Way / P.O. Box 3520  
Anaheim, CA 92803  
Phone: 714 999-5621  
stout\_l@auhsd.us

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district.

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX

Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint.

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal.

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 91200 - Uniform Complaint Procedures as applicable.

#### Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are non-disciplinary, non-punitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

#### Emergency Removal from School

On an emergency basis, the district may remove a student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973.

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process.

#### Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint.

The district may facilitate an informal resolution process provided that the district:

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

**Formal Complaint Process / Investigation**

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45.

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following:

1. The district's Title IX complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

During the investigation process, the district shall:

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response
9. After sending the investigative report to the parties and before a decision-maker reaches a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence

concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The district shall maintain confidentiality and/or privacy rights of all parties to the complaint in accordance with applicable state and federal laws, except as may be permitted or required to carry out the Title IX complaint process.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

#### Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct.

The written decision shall be issued within 45 calendar days of the receipt of the complaint. However, the district may extend the timeline for good cause with written notice to the complainant and respondent of the extension and the reasons for the action.

The district shall use the “preponderance of the evidence” standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. The written decision shall include the following:

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district’s code of conduct to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district’s educational program or activity will be provided by the district to the complainant
6. The district’s procedures and permissible bases for the complainant and respondent to appeal



### Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 5 school days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

A written decision shall be provided to the parties within 7 school days from the receipt of the appeal.

### Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include, but are not limited to, the same individualized services described above in the section "Supportive Measures," but need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

### Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent for engaging in sexual harassment, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made.

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion.

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education of the student regarding the impact of the conduct on others
4. Positive behavior support
5. Referral of the student to an educational monitoring student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

#### Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44.

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex  
48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment  
48985 Notices, report, statements and records in primary language

**CIVIL CODE**

51.9 Liability for sexual harassment; business, service and professional relationships  
1714.1 Liability of parents/guardians for willful misconduct of minor

**GOVERNMENT CODE**

12950.1 Sexual harassment training

**CODE OF REGULATIONS, TITLE 5**

4600-4670 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

**UNITED STATES CODE, TITLE 20**

1092 Definition of sexual assault  
1221 Application of laws  
1232g Family Educational Rights and Privacy Act  
1681-1688 Title IX of the Education Amendments of 1972

**UNITED STATES CODE, TITLE 34**

12291 Definition of dating violence, domestic violence, and stalking

**UNITED STATES CODE, TITLE 42**

1983 Civil action for deprivation of rights  
2000d-2000d-7 Title VI, Civil Rights Act of 1964  
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

**CODE OF FEDERAL REGULATIONS, TITLE 34**

99.1-99.67 Family Educational Rights and Privacy  
106.1-106.82 Nondiscrimination on the basis of sex in education programs

**COURT DECISIONS**

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567  
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130  
Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736  
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629  
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473  
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

#### CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014  
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

#### U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Q&A on Campus Sexual Misconduct, September 2017  
Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016  
Dear Colleague Letter: Title IX Coordinators, April 2015  
Sexual Harassment: It's Not Academic, September 2008  
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

#### WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education: <http://www.cde.ca.gov>  
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Revised: May 7, 2024

**AUHSD Board Policy 8200 Identification and Education Under Section 504**

**AUHSD Board Policy 8200 – R Identification and Education Under Section 504**

The Governing Board believes that all children, including children with disabilities, should have the opportunity to learn in a safe and nurturing environment. The Superintendent or designee shall work to identify children with disabilities who reside within the jurisdiction of the district in order to ensure that they receive educational and related services required by law.

The Superintendent or designee shall provide qualified students with disabilities with a free appropriate public education (FAPE), as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of students without disabilities are met. (34 CFR 104.33)

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any other capacity except as hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

#### Legal Reference:

#### EDUCATION CODE

49423.5 Specialized physical health care services

52052 Accountability; numerically significant student subgroups

52060-52077 Local control and accountability plan

56043 Special education, timelines

56321 Assessment; development of IEP; parental notifications, consent

**CODE OF REGULATIONS, TITLE 5**

3051.12 Health and Nursing Services

**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**

705 Definitions; Vocational Rehabilitation Act

794 Rehabilitation Act of 1973, Section 504

**UNITED STATES CODE, TITLE 42**

12101-12213 Americans with Disabilities Act

**CODE OF REGULATIONS, TITLE 28**

35.101-35.190 Nondiscrimination on the basis of disability in state and local government services

**CODE OF FEDERAL REGULATIONS, TITLE 34**

104.1-104.61 Nondiscrimination on the basis of handicap, especially:

104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973

104.3 Definitions

104.32 Location and notification

104.33 Free appropriate public education

104.34 Educational setting

104.35 Evaluation and placement

104.36 Procedural safeguards

104.37 Nonacademic services

104.7 Responsible employee; grievance procedures

**COURT DECISIONS**

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

**Management Resources:****CSBA PUBLICATIONS**

Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, December 2007

**CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES**

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter and Resource Guide on Students with ADHD, July 2016

Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, October 2015

Dear Colleague Letter, January 2013

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools, January 2012

Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

Board of Trustees

Board Approved: 7/11/19

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The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

504 Coordinator

Director, School Mental Health and Wellness

Anaheim Union High School District

501 N. Crescent Way

Anaheim, CA 92801

(714)999-7734

[504Coordinator@auhsd.us](mailto:504Coordinator@auhsd.us)

#### Definitions

For the purpose of implementing Section 504, the following terms and phrases shall have only the meanings specified below:

“Free appropriate public education” (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of students without disabilities are met, at no cost to the student or his or her parent or guardian except when a fee is specifically authorized by law for all students. (34 CFR 104.33)

“Student with a disability” means a student who has a physical or mental impairment which substantially limits one or more major life activities, who has a record of such an impairment, or who is regarded as having such an impairment. (28 CFR 35.108)

“Physical impairment” means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine. (28 CFR 35.108)

“Mental impairment” means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. (28 CFR 35.108)

“Substantially limits major life activities” means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for himself or herself,

performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. “Major life activities” also includes major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system. The determination of whether an impairment substantially limits a student’s major life activities shall be made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy. (42 USC 12102; 28 CFR 35.108)

#### Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent or guardian, teacher, other school employee, educational monitoring team, or community agency may refer a student to the principal or designee or to the District 504 Coordinator for identification as a student with a disability under Section 504.
2. Upon receipt of any such referral, the principal, designee, 504 Coordinator, or other qualified individual with expertise in the area of the student’s suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student’s school records, including those in academic and nonacademic areas of the school program; consultation with the student’s teachers, other professionals, and the parent or guardian, as appropriate; and analysis of the student’s needs.

If it is determined that an evaluation is unnecessary, the principal, designee, or 504 Coordinator shall inform the parents or guardians in writing of this decision and of the procedural safeguards available, as described in the “Procedural Safeguards” section below.

3. If the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his or her initial placement. (34 CFR 104.35)

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent or guardian consent.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers;
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient;
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his or her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure.

#### Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A 504 team shall be convened to review the evaluation data in order to make placement decisions. The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options (34 CFR 104.35) including an administrator, a school counselor, one or more of the student's teachers, other program staff as appropriate (e.g., nurse, psychologist, social worker, Regional Occupational Program instructor), parents or guardians, and the student.

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents or guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a person with a disability under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent or guardian shall be informed in writing of his or her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his or her individual needs. (34 CFR 104.34)
5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame, generally not later than 60 days following consent to assess.
6. A copy of the student's Section 504 services plan shall be kept in his or her student record. The student's teachers and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

#### Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs

of students without disabilities are met. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

### Procedural Safeguards

The Superintendent or designee shall notify the parents or guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. The Superintendent or designee also shall notify the parents or guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

If a parent or guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his or her child under Section 504, he or she may request a Section 504 due process hearing within 30 days of that action or decision.

Prior to requesting a Section 504 due process hearing, the parent or guardian may, at his or her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The 504 Coordinator shall designate an appropriate administrator to meet with the parent or guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent or guardian's request. If the parent or guardian is not satisfied with the resolution of the issue, or if the parent or guardian did not request an administrative review, he or she may request a Section 504 due process hearing.

A Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent or guardian shall submit a written request to the 504 Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
  - a. The specific nature of the decision with which he or she disagrees;
  - b. The specific relief he or she seeks;

- c. Any other information he or she believes is pertinent to resolving the disagreement.
2. Within 30 days of receiving the parent or guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.
3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
  - a. Be accompanied and advised by legal counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504;
  - b. Present written and oral evidence;
  - c. Question and cross-examine witnesses;
  - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision.

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

#### Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents or guardians of the district's duty under Section 504. (34 CFR 104.32)

#### Procedures for Implementing Section 504 Plans in Regional Occupational Programs

The District is committed to providing a FAPE in regional occupational programs ("ROP") to District students who have disabilities within the meaning of Section 504. The District shall ensure Section 504 students will not be denied the benefits of, excluded from participation in, or otherwise subjected to discrimination in ROP courses because of the absence of accommodations, aids, or services designed to meet their individual educational needs. A student with a disability may be entitled to implementation of their Section 504 Plan, and other accommodations, aids, or services

in ROP provided courses. The student's Section 504 Team, which includes an ROP Instructional Administrator, is responsible for implementing a student's Section 504 Plan and/or any other appropriate accommodations, aids, or services in ROP provided courses.

#### Provision of 504 Accommodations to Students in ROP Courses

The application for an ROP course will identify whether a student has a Section 504 plan. When a student with a Section 504 Plan applies for an ROP course, the school's Career Guidance Specialist ("CGS") shall notify the student's 504 case carrier. The student's 504 case carrier and ROP Instructional Administrator will promptly meet with student and/or parent to (1) review the accommodations, aids, or services contained in student's Section 504 Plan, (2) review the requirements of the ROP Course, and (3) determine whether additional accommodations, aids, or services may need to be discussed by the Section 504 Team.

If the student may require additional accommodations, aids, or services considering the course requirements, the student's 504 case carrier will promptly schedule and convene a Section 504 Team meeting, which will include an ROP Instructional Administrator, for the following reasons:

1. Review the current accommodations, aids, or services to determine whether student's current Section 504 Plan will meet student's needs in the ROP course.
2. Review the ROP course description and the requirements associated with the course.
3. Discuss additional accommodations, aids or services that may be necessary to allow student access to participate in the ROP course.
4. Document all decisions regarding implementation of the Section 504 Plan and/or other accommodations, aids, and services in the ROP course.
5. If the Section 504 Team determines that the student can participate in the ROP course with the Section 504 Plan, the following will occur:
  - a. The decision will be discussed with the student and documented in student's Section 504 Plan. District will provide Student a copy of the Section 504 Plan and a copy of the Section 504 procedural safeguards.
  - b. Prior to the start of the ROP course, the CGS or guidance counselor shall provide copies of student's Section 504 Plan to all personnel responsible for implementing the plan.

- c. Prior to the start of the ROP course, ROP's Instructional Administrator shall provide copies of student's Section 504 Plan to all ROP personnel responsible for implementing the plan.
  - d. The student's Section 504 Plan will be implemented the first day of the ROP course. If it is determined that the student's Section 504 Plan cannot be implemented at the start of the ROP course, the ROP Instructional Administrator will inform the student in writing of the projected timeframe for implementation.
- 6. If the Section 504 Team determines that student cannot participate in the ROP course with the current Section 504 Plan, with alternative accommodations, aids, or services discussed by the Section 504 Team, and/or with the accommodations, aids and services requested by student, the following will occur:
  - a. The reasons for the Section 504 Team's determination that the student cannot participate in the ROP course will be discussed with the student and documented in the notes section of the student's Section 504 Plan. District shall provide Student a copy of the Section 504 Plan and meeting notes and a copy of the Section 504 procedural safeguards, which shall include these procedures.
  - b. If changes to the Section 504 Plan, including accommodations, aids, or services requested by student, are not possible, the Section 504 Team will explore with the student alternative ROP courses that could reasonably implement student's Section 504 plan.
  - c. If the Section 504 Team offers to modify Student's Section 504 Plan with accommodations, aids, or services other than those requested by Student, the Section 504 Team will document the offered alternatives and Student's acceptance or rejection of the alternatives offered.

#### Dispute Resolution

If a student disagrees with the Section 504 Team's determination regarding implementation of their Section 504 Plan and/or other accommodations or auxiliary aids and services, the student may pursue Procedural Safeguards set forth in the District's Section 504 Policy or file a complaint with the Office of Civil Rights.



The ROP will participate in the District's investigation and resolution of any dispute regarding implementation of a Section 504 Plan and/or any other accommodations, aids, or services in an ROP course.

Revised: June 13, 2024

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## AUHSD Language Programs

All programs are designed to meet the educational needs of English Learners by including English Language Development (ELD). Some programs may include the use of Specially Designed Academic Instruction in English (SDAIE) strategies in the content courses of mathematics, social science, and science.

The goals of all programs are for students to learn English and meet age appropriate academic achievement standards for grade promotion and graduation. The following are brief descriptions of the programs:

- ☐ **Structured English Immersion (SEI) Program:** A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered Designated ELD and provided access to grade level academic subject matter content with Integrated ELD.
- ☐ **Dual-Language Immersion (DLI) Program:** Also referred to as Two-Way Immersion. A language acquisition program that provides language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. This program has multiple entry points and at AUHSD requires an intermediate level of proficiency in the target/heritage language.
- ☐ **Heritage Language Program:** Language acquisition program for English learners that provides instruction to students utilizing English and a student's native language for literacy development and academic instruction. Enables non-English speakers or students who have weak literacy skills in their native language to achieve language proficiency and meet academic achievement goals. This program is designed for sixth through eighth and ninth through twelfth grades.
- ☐ **One-Way Immersion Program:** It is a traditional World Language course. We offer American Sign Language, Arabic, French, Japanese, Korean, Mandarin, Spanish, and Vietnamese.
- ☐ **Newcomer Program:** For students at the emerging level of English Deficiency in which students take ELD or ELD 2, Language and Literacy Course. Students also obtain a Rosetta Stone license and participate in Saturday Language Academy (SALA and Summer Language Academy (SLA)

Parents or guardians may choose a language acquisition program that best suits their child. Schools in which the parents or guardians of 30 students or more per school or the parents or guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible (20 U.S.C. Section 6312[e][3][A][viii][III]); EC Section 310[a]).

Parents or guardians may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan (EC Section 52062). If interested in a different program from those listed above, please contact [insert LEA contact name and information] to ask about the process.

Although schools have an obligation to serve all EL students, parents or guardians of English learners have a right to decline or opt their children out of a school's EL program or out of particular EL services within an EL program. If parents or guardians opt their children out of a school's EL program or specific EL services, the children retain their status as English learners. The school remains obligated to take the affirmative steps required by Title VI of the Civil Rights Act of 1964 and the appropriate actions required by the Equal Educational Opportunity Act of 1974 to provide EL students access to its educational programs (20 U.S.C. sections 1703[f], 6312[e][3][A][viii]).

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## NOTICE OF ALTERNATIVE SCHOOLS

### California Education Code Section 58501

*The following notice must be sent along with the Notification to Parents and Guardians required by EC § 48980. Further, a copy shall be posted in at least two places normally visible to pupils, teachers, and visiting parents in each attendance unit for the entire month of March in each year.*

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

- (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- (b) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or part from a presentation by his/her teachers of choices of learning projects.
- (d) Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

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

**The California Healthy Youth Act (Education Code 51930-51939) Comprehensive Sexual Health and HIV Prevention Education Parent/Guardian Letter**



**ANAHEIM UNION HIGH SCHOOL DISTRICT**

*Learning With Purpose: College and Career Ready*

**THE CALIFORNIA HEALTHY YOUTH ACT (EDUCATION CODE 51930-51939)  
COMPREHENSIVE SEXUAL HEALTH AND HIV PREVENTION EDUCATION**

Dear Parent/Guardian:

California state law, the California Healthy Youth Act, requires that comprehensive sexual health education and HIV prevention education be provided to students at least once in middle school or junior high school and once in high school, starting in grade 7.

Instruction must encourage students to communicate with parents, guardians or other trusted adults about human sexuality. Instruction must be medically accurate, age-appropriate and inclusive of all students. It must include the following:

- Information about HIV and other sexually transmitted infections (STI's), including transmission, FDA approved methods to prevent HIV and STI's, and treatment.
- Information that abstinence is the only certain way to prevent unintended pregnancy and HIV and other STI's, and information about the value of delaying sexual activity.
- Discussion about social views of HIV and AIDS.
- Information about accessing resources for sexual and reproductive health care.
- Information about pregnancy, including FDA approved prevention methods, pregnancy outcomes, prenatal care, and the newborn safe surrender law.
- Information about sexual orientation and gender, including the harm of negative stereotypes.
- Information about healthy relationships and avoiding unhealthy behaviors and situations.

If you have questions or would like to examine written and audiovisual instructional materials, please contact the teacher or principal. You may access a copy of the California Healthy Youth Act (California Education Code Sections 51930-51939) at [www.cde.ca.gov/ls/he/se/](http://www.cde.ca.gov/ls/he/se/)

State law allows you to remove your student from this instruction. If you do not want your student to participate in comprehensive sexual health or HIV prevention education, please give a written request to the assistant superintendent of Education at the address listed below. The request should be received by the start of the school year or at least two weeks before instruction begins on the comprehensive sexual health unit of study.

Sincerely,  
Jaron Fried, Ed.D  
*Assistant Superintendent, Education*

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