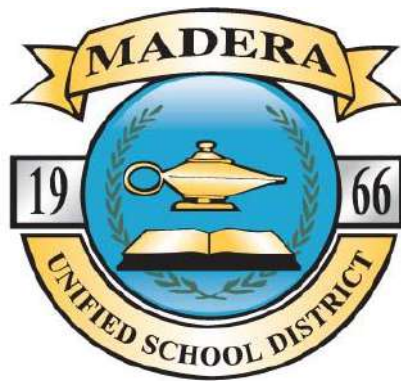


# MADERA UNIFIED SCHOOL DISTRICT

## PARENT AND STUDENT RIGHTS & RESPONSIBILITIES HANDBOOK 2019/2020



### *Our Vision*

*Madera Unified will set the standard for hard work, creativity and resiliency with a fearless drive to continuously improve.*

### *Our Mission*

*We are committed to creating and sustaining a culture enabling Madera Unified students to experience an unparalleled educational journey that is intellectually, social and personally transformative.*

### *Our Belief Statement*

*Madera Unified is where students are challenged to broaden their vision, inspired by meaningful opportunities and strive for authentic achievements.*

## ATTENDANCE

### Compulsory Attendance

Persons between the ages of 6 and 18, unless otherwise exempt, must attend school on a full-time basis in their school district of residence. (Education Code 48200)

### Student Residency

A student may be enrolled in the District if:

1. The student's parent, legal guardian or other person having control and charge of the student resides in the District. (Education Code § 48200)
2. The District has approved an Inter-District attendance permit. (Education Code § 46600)
3. The student is placed in a regularly established children's institution, licensed foster home, or family home.
4. The student is a foster child who remains in his or her school of origin pursuant to Education Code Section 48850 and 48853.
5. The student is emancipated and lives within the District.
6. The student lives in the home of an adult who has submitted a caregiver affidavit.
7. The student resides in a state hospital within the District. (Education Code § 48204)
8. The student is enrolled under the Federal McKinney-Vento Act.

The law allows, but does not require a district to accept a student for enrollment where one or both of the student's parents or legal guardian is physically employed within the district's boundaries. (Education Code § 48204)

### School of Choice within Madera Unified – "Open Enrollment"

Education Code section 35160.5(b) requires the school board of each district to establish a policy that allows parents to indicate a preference for the school their child(ren) will attend, regardless of where the parent lives in the district. The law limits the choice within a school district as follows:

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

### School of Choice within Madera Unified – "Professional Courtesy"

The Governing Board herein authorizes the Superintendent or designee to allow "Professional Courtesy" enrollment of students at a school of choice for those students who are the children, stepchildren and foster children of Madera Unified School District full-time employees who receives employment benefits and/or board members of Madera Unified School District Governing Board.

The principal shall not approve Professional Courtesy enrollment applications if approval results in the displacement of students currently residing in the attendance area. Approval may not be granted until after the District Office has finalized the staffing plan for the next school year and the Principal has an opportunity to assess the availability of space.

Approval to enroll pursuant to Professional Courtesy shall not be granted for more than one school year. Annual renewal of application is required to be submitted March 15th – April 30th.

If there are more applications than can be accommodated, then, applications shall be selected for approval through an unbiased lottery selection, except that renewal applications will have priority over new applications.

Applications to attend a school other than the school the pupil would normally attend must be renewed annually by submitting applications during March through April of the PRECEDING school year. Permits are subject to revocation under certain circumstances. Permits must be renewed annually, with approval subject to the conditions specified in policy. Contact any school office or the Office of Student Services for "Transfer Request" forms. Parents/Guardians are responsible for transportation.

State regulations (5 CCR 432) require parents to annually verify their residence within the district. (Board Policy 5116)

### School of Choice within Madera Unified School District "Intra-District Transfer Permits"

Parents/guardians may request the transfer of their child(ren) to a school of choice during the same year of the application. Certain restrictions apply. First, all "Open Enrollment" and "Professional Courtesy" applicants are to be given preference, prior to considering an "Intra-District Transfer Permit." Second, no such transfer request may be honored during the first two weeks of the school year, in order to allow residents of the attendance area the opportunity to attend their normal school. Principals may waive this restriction, if they are confident that their school will have ample space. Parents/guardians are responsible for transportation and permits are subject to revocation under certain circumstances. Permits are not valid beyond the year in which they are granted. Contact any school office or the Office of Student Services for an "Intra-District Transfer Request" forms. (Board Policy 5116/Board Policy 5116.1)

### Transfer Into or Out of the Madera Unified School District "Inter-District Transfer Permits"

If granted an "Inter-District Attendance Permit," pupils whose parents/guardians are residents of the Madera Unified School District, may attend school in another School District. Similarly, pupils residing outside of the Madera Unified School District may be allowed to attend Madera's schools. The Governing Board will allow such transfers for a limited number of reasons. Preference is given to the requests of parents/guardians of pupils (K-12) whose place of employment is located within the district of desired attendance area. (Education Code 48204 – BP 5117)

Information about procedures and applications (forms) are available from the Office of Student Services for "Inter-District Transfer Request" forms.

Denied requests for transfers out of or into the Madera Unified School District for reasons other than parental or guardian place of employment may be appealed to the County Office of Education serving the county in which the denying district is located. The telephone number for the Madera County Office of Education is 559-673-6051.

### Adjustment Transfer

The Board authorizes the Area Assistant Superintendent to make "adjustment" transfers to schools other than the school of residence.

### Notice of Alternative Schools

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:

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
2. Recognize that the best learning takes place when the student learns because of his desire to learn.

3. Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects.
4. 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.
5. 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.
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 service, 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 the student attending his/her own naturalization ceremony to become a United States citizen.
11. To care for a sick child for whom the pupil is the custodial parent.
12. An absence may be authorized as excused at the discretion of school administration.

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 parent information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. (Education Code § 58501)

### Temporary Disability

It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction. A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence, shall be deemed to comply with the residency requirements of the school district in which the hospital is located. (Education Code § 48206.3, 48207, 48208, 48980(b)).

Contact the Office of Student Services for additional information.

### Leaving School Grounds

Pupils must remain at school during the school day, except in the following circumstances:

1. Participation in a school-sponsored activity, such as a sporting event or "field trip." On such occasions, pupils must remain with supervising personnel.
2. Junior or Seniors, who are in good standing at Madera High School or at Madera South High School, may leave for lunch with parent permission. While students are held accountable for their behavior during such time, "Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds". (Education Code 44808.5)

### Excused Absences

Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

1. Personal illness or injury.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
4. For the purpose of attending the funeral services of a member of his or her "immediate family," so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats (not to exceed four (4) hours per semester), or 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 has been 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.

"Immediate family", as used in this section has the same meaning as set forth in Section 45194 shall be deemed to reference to "pupil", refers to mother, father, grandmother, grandfather, or a grandchild of the pupil or of the spouse of the pupil, and the spouse, son, son-in-law, brother or sister of the pupil, or any relative living in the immediate household of the pupil. (Education Code 48205/48980(j))

A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. 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.

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

### Absence for Religious Exercises and Instruction

Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend a minimum school day. (Education Code 46014)

For purposes of this section, the student shall be excused no more than four (4) days per month. (Administrative Regulation 5113)

### No Academic Penalty for Excused Absence

No pupil may have his or her grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified in "Excused Absences" when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Education Code § 48205, 48980(j))

A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. 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.

### Need for Absence Note

If the absence will be for several days, a phone call the first day will be appreciated. When students who have been absent for one or more days return to school, parent/guardian must present an excusable explanation verifying the reason for the absence. Unless an excused verification is obtained, the school must record any absence as unexcused with the following possible consequences:

1. The student may not be allowed to make up missed assignments/tests.
2. The student may be classified as a truant.

Methods that may be used to verify student absences:

- a. Written note from parent/guardian, parent representative, or student if 18 or older.
- b. Conversation, in person or by telephone, between the verifying employee and student's parent/guardian or parent representative.

- c. Verification may be a school or public nurse, an attendance supervisor, a physician, a principal, a teacher or any other district employee assigned to make verification for the district.

### **Non-Participation of Physical Education (P.E.)**

Non-participation of Physical Education (P.E.) for more than three days requires a written note from a physician. Non-participation of P.E. for three days or less requires a written note from the parent or legal guardian. If a student has a non-participation note from a parent or legal guardian students are still asked to participate to the best of their ability. If they are unable to participate in any way students are still expected to make up the work for points missed during missed PE days. An example of a make-up activity could be book work required to earn daily points.

The district Wellness policy supports physical activity to reduce obesity and the development of chronic diseases such as Diabetes. A "Physical Education Recommendation" form is required to be submitted for consideration of modification of participation in required Physical Education classes.

### **Unexcused & Excused Absences/Truants: Habitual, Chronic & Tardies**

Madera Unified School District identifies a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof is truant. (Education Code 48260) (Board Policy 5113.1)

"Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as truant..." (Education Code 48261)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and parent/guardian or parent representative. (Education Code 48262, 48264.5) (Board Policy 5113.1)

Chronic means a student who is **absent for any reason** 10 percent or more of the school days in the school year. The total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

When a parent/guardian receives a "Chronic Absence Letter" from the school site that states a doctor's note must accompany any further absences to be excused. Only those days listed on the physician verification will be designated as excused.

Chronic truant means a student has been absent from school **without a valid excuse** for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263 and 48291. (Education Code 48263.6) (Board Policy 5113.1)

Students who are classified as habitual chronically truants may be subject to any/all of the following:

1. Required to attend Saturday make-up classes.
2. Referred to the local School Attendance and Review Board.(SARB)
3. Referred to the Truancy Intervention Program pursuant Ed. Code 48260 - 48260.6.
4. Referred to the District Attorney. Parents/guardians, of truant students may be fined in Court for their failure to insure attendance at school.

### **Letters/Notices of Truancy**

Madera Unified School District schools use an automatic, computer-based system ("Truancy Hunter") to generate notices to parents/guardians when pupils initially become truant. If pupils subsequently fail to attend school as required by law, and pupils continue to become chronically or habitually truant; parent/guardians must work with the school site administrator to develop a written action plan to help reduce habitual and chronic absences. If no improvement, parent/guardian along with the pupil will be referred to District SARB.

## **NONDISCRIMINATION & COMPLAINTS**

### **Declaration of Nondiscrimination**

The Governing Board is committed to equal opportunity for all individuals in education. District programs, activities and practices shall be free from discrimination, including description against an individual or group based on race, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. (Board Policy 0410)

### **Equal Opportunity**

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, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - 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, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 234.1; 5 CCR 4621) (Board Policy 5145.3)

The coordinator/compliance officer(s) may be contacted at:

Area Assistant Superintendent  
1902 Howard Road, Madera, CA 93637  
(559) 675-4500 ext. 246

### **Sexual Harassment Policy**

Each student will receive a written copy of the commitment to education free from harassment, bullying, and discrimination policy. The purpose of this policy is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. A summary of the District's policy on sexual harassment is on pages 10-11. (Education Code §§ 231.5, 48980(g), Title IX)

### **Expectant Mother**

Pregnant and parenting students are not excluded from participation in their regular school program. Participation is allowed in extracurricular activities, if physically and emotionally able to participate. If a student voluntarily agrees to participate in a specialized program for pregnant and parenting teens, the program is comparable to that offered to non-pregnant students Cal Safe Program (559) 645-4400.

Additionally, an expectant mother or parenting teen may voluntarily take eight weeks of parental leave or more if deemed medically necessary by the student's physician. She/he will not be required to complete academic work or other school requirements while on parental leave. The student may return to the school and the course of study in which the student was enrolled before taking parental leave or to instead elect to participate in an alternative education program and not incur an academic penalty as a result of these accommodations. A complaint of noncompliance with these requirements may be filed under the LEA's uniform Complaint procedures. (Education Codes 222.5 and 46015)